E/2011/30
E/CN.15/2011/21

United Nations

Commission on Crime Prevention and Criminal Justice

Report on the twentieth session (3 December 2010 and 11-15 April 2011)

Economic and Social Council
Official Records, 2011
Supplement No. 10

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United Nations • New York, 2011

Note

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

The report of the Commission on Crime Prevention and Criminal Justice on its reconvened twentieth session, to be held on 13 December 2011, will be issued as *Official Records of the Economic and Social Council, 2011, Supplement No. 10A* (E/2011/30/Add.1).

ISSN 0257-0653

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Chapter I

Matters calling for action by the Economic and Social Council or brought to its attention

A. Draft resolutions to be recommended by the Economic and Social Council for adoption by the General Assembly

1. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the approval of the following draft resolutions for adoption by the General Assembly:

Draft resolution I

Follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice

The General Assembly,

Recalling its resolution 56/119 of 19 December 2001, on the role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders, in which it stipulated the guidelines in accordance with which, beginning in 2005, the congresses, pursuant to paragraphs 29 and 30 of the statement of principles and programme of action of the United Nations crime prevention and criminal justice programme,[1] should be held,

Emphasizing the responsibility assumed by the United Nations in the field of crime prevention and criminal justice in pursuance of Economic and Social Council resolution 155 C (VII) of 13 August 1948 and General Assembly resolution 415 (V) of 1 December 1950,

Acknowledging that the United Nations congresses on crime prevention and criminal justice, as major intergovernmental forums, have influenced national policies and practices and promoted international cooperation in that field by facilitating the exchange of views and experience, mobilizing public opinion and recommending policy options at the national, regional and international levels,

Recalling its resolution 57/270 B of 23 June 2003, on the integrated and coordinated implementation of and follow-up to the outcomes of major United Nations conferences and summits in the economic and social fields, in which it stressed that all countries should promote policies consistent and coherent with the commitments of the major United Nations conferences and summits, emphasized that the United Nations system had an important responsibility to assist Governments to stay fully engaged in the follow-up to and implementation of agreements and commitments reached at the major United Nations conferences and summits and invited its intergovernmental bodies to further promote the

[1] Resolution 46/152, annex.

implementation of the outcomes of the major United Nations conferences and summits,

Recalling also its resolution 65/230 of 21 December 2010, in which it endorsed the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,[2] as adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, and requested the Commission on Crime Prevention and Criminal Justice to consider at its twentieth session options to improve the efficiency of the process involved in the United Nations congresses on crime prevention and criminal justice,

1. *Takes note* of the report of the Secretary-General on the follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice;[3]

2. *Reiterates* its invitation to Governments to take into consideration the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World[4] and the recommendations adopted by the Twelfth Congress when formulating legislation and policy directives and to make all efforts, where appropriate, to implement the principles contained therein, taking into account the economic, social, legal and cultural specificities of their respective States;

3. *Recalls* its resolution 62/173 of 18 December 2007, in which it endorsed the recommendations made by the Intergovernmental Group of Experts on Lessons Learned from United Nations Congresses on Crime Prevention and Criminal Justice at its meeting held in Bangkok from 15 to 18 August 2006;

4. *Invites* Member States to provide their suggestions in relation to the overall theme, the agenda items and the topics for the workshops of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, and requests the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its twenty-first session on the suggestions made by Member States;

5. *Recommends*, in order to strengthen the outcome of future crime congresses, that the number of their agenda items and workshops be limited, and encourages the holding of side events that are focused on and complement the agenda items and workshops;

6. *Requests* the Commission on Crime Prevention and Criminal Justice to approve at its twenty-first session the overall theme, the agenda items and the topics for the workshops of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice.

[2] A/CONF.213/18, chap. I, resolution 1.
[3] E/CN.15/2011/15.
[4] A/CONF.213/18, chap. I, resolution 1.

Draft resolution II

Technical assistance for implementing the international conventions and protocols related to counter-terrorism

The General Assembly,

Reaffirming all General Assembly and Security Council resolutions related to technical assistance in countering terrorism,

Stressing again the need to strengthen international, regional and subregional cooperation to effectively prevent and combat terrorism, in particular by enhancing the national capacity of States through the provision of technical assistance, based on the needs and priorities identified by requesting States,

Recalling its resolution 65/232 of 21 December 2010, in which it, inter alia, reiterated its request to the United Nations Office on Drugs and Crime to enhance its technical assistance to Member States, upon request, to strengthen international cooperation in preventing and combating terrorism through the facilitation of the ratification and implementation of the universal conventions and protocols related to terrorism,

Recalling also its resolution 64/297 of 8 September 2010, in which it reaffirmed the United Nations Global Counter-Terrorism Strategy[5] and underlined the importance of greater cooperation among United Nations entities and of the work of the Counter-Terrorism Implementation Task Force to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system, as well as the need to continue to promote transparency and to avoid duplication,

Recalling further the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,[6] adopted by the Twelfth Congress on Crime Prevention and Criminal Justice,

Reiterating all aspects of the United Nations Global Counter-Terrorism Strategy and the need for States to continue to implement it,

Reaffirming its resolution 65/221 of 21 December 2010,

Reconfirming its resolution 65/232 of 21 December 2010, in which it, inter alia, expressed deep concern about the connections, in some cases, between some forms of transnational organized crime and terrorism and emphasized the need to enhance cooperation at the national, subregional, regional and international levels in order to strengthen responses to that evolving challenge,

Reiterating that it is the primary responsibility of Member States to implement the United Nations Global Counter-Terrorism Strategy, and recognizing the need to enhance the important role the United Nations plays, in coordination with other international, regional and subregional organizations, in facilitating coherence in the

[5] General Assembly resolution 60/288.

[6] A/CONF.213/18, chap. I, resolution 1.

implementation of the Strategy at the national, regional and global levels and in providing assistance, especially in the area of capacity-building,

Taking note of the Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation (Beijing Convention) and the Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft (Beijing Protocol), both adopted by vote on 10 September 2010,[7]

1. *Urges* Member States that have not yet done so to consider becoming parties to the existing international conventions and protocols related to terrorism, and requests the United Nations Office on Drugs and Crime, within its mandate, in close coordination with the relevant entities of the Counter-Terrorism Implementation Task Force, to continue to provide technical assistance to Member States for the ratification and legislative incorporation of those international legal instruments;

2. *Urges* Member States to continue to strengthen international coordination and cooperation in order to prevent and combat terrorism, in accordance with international law, including the Charter of the United Nations, and, when appropriate, by entering into bilateral and multilateral treaties on extradition and mutual legal assistance, and to ensure adequate training of all relevant personnel in executing international cooperation, and requests the United Nations Office on Drugs and Crime, within its mandate, to provide technical assistance to Member States to that end, including by continuing and enhancing its assistance related to international legal cooperation pertaining to terrorism;

3. *Stresses* the importance of the development and maintenance of fair and effective criminal justice systems, in accordance with applicable international law, as a fundamental basis of any strategy to counter terrorism, and requests the United Nations Office on Drugs and Crime, whenever appropriate, to take into account in its technical assistance to counter terrorism the elements necessary for building national capacity in order to strengthen criminal justice systems and the rule of law;

4. *Requests* the United Nations Office on Drugs and Crime, within its mandate, to continue to develop specialized legal knowledge in the area of counter-terrorism and pertinent thematic areas of relevance to the mandate of the Office and to provide assistance to requesting Member States with regard to criminal justice responses to terrorism, including, where appropriate, nuclear terrorism, the financing of terrorism and the use of the Internet for terrorist purposes, as well as assistance to and support for victims of terrorism;

5. *Calls upon* the United Nations Office on Drugs and Crime, within its mandate, to continue to develop its technical assistance programmes, in consultation with Member States, to assist them in ratifying and implementing the international legal instruments related to terrorism;

6. *Also calls upon* the United Nations Office on Drugs and Crime to continue to provide technical assistance for building the capacity of Member States

[7] The International Conference on Air Law adopted the Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation by a vote of 55 in favour and 14 not in favour. The Conference adopted the Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft by a vote of 57 in favour and 13 not in favour.

to ratify and implement the international conventions and protocols related to terrorism, including through targeted programmes and the training of relevant criminal justice officials, upon request, the development of and participation in relevant initiatives and the elaboration of technical tools and publications;

7. *Urges* the United Nations Office on Drugs and Crime, in coordination with the Counter-Terrorism Committee and its Executive Directorate and the Counter-Terrorism Implementation Task Force, to strengthen its cooperation with international organizations and relevant entities of the United Nations system, as well as with regional and subregional organizations and arrangements, in the delivery of technical assistance, whenever appropriate;

8. *Requests* the United Nations Office on Drugs and Crime to continue to give high priority to the implementation of an integrated approach through the promotion of its regional and thematic programmes;

9. *Encourages* Member States to cooperate and to address, as appropriate, including through the effective exchange of information and sharing of experiences, connections between terrorism and related criminal activities in order to enhance criminal justice responses to terrorism, and calls upon the United Nations Office on Drugs and Crime, within its relevant mandates, to support the efforts of Member States in this regard, upon request;

10. *Expresses its appreciation* to Member States that have supported the technical assistance activities of the United Nations Office on Drugs and Crime, including through financial contributions, and invites Member States to consider making additional voluntary financial contributions, as well as providing in-kind support, especially in view of the need for enhanced and effective delivery of technical assistance to assist Member States with the implementation of relevant provisions of the United Nations Global Counter-Terrorism Strategy;[8]

11. *Requests* the Secretary-General to provide the United Nations Office on Drugs and Crime with sufficient resources to carry out activities, within its mandate, to assist Member States, upon request, in the implementation of the relevant elements of the United Nations Global Counter-Terrorism Strategy;

12. *Also requests* the Secretary-General to submit to it at its sixty-seventh session a report on the implementation of the present resolution.

Draft resolution III

Strengthening crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking

The General Assembly,

Recalling its resolutions 58/17 of 3 December 2003, 61/52 of 4 December 2006 and 64/78 of 7 December 2009, on the return or restitution of cultural property to the countries of origin, Economic and Social Council resolutions 2003/29 of 22 July 2003, entitled "Prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property", 2004/34

[8] General Assembly resolution 60/288.

of 21 July 2004 and 2008/23 of 24 July 2008, entitled "Protection against trafficking in cultural property", and 2010/19 of 22 July 2010, entitled "Crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking", and the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,[9]

Recalling also the United Nations Convention against Transnational Organized Crime,[10] adopted by the General Assembly in its resolution 55/25 of 15 November 2000, as well as the United Nations Convention against Corruption,[11] adopted by the Assembly in its resolution 58/4 of 31 October 2003,

Recalling further the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property,[12] adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 14 November 1970, the Convention on Stolen or Illegally Exported Cultural Objects,[13] adopted by the International Institute for the Unification of Private Law on 24 June 1995, and the Convention for the Protection of Cultural Property in the Event of Armed Conflict,[14] done at The Hague on 14 May 1954, and the two Protocols thereto, adopted on 14 May 1954[14] and 26 March 1999,[15] and reaffirming the necessity for those States that have not done so to consider ratifying or acceding to and, as States parties, implementing those international instruments,

Reiterating the significance of cultural property as part of the common heritage of humankind and as unique and important testimony of the culture and identity of peoples, and the necessity of protecting it, and reaffirming in that regard the need to strengthen international cooperation in preventing, prosecuting and punishing all aspects of trafficking in cultural property,

Concerned that demand for stolen, looted and illicitly exported or imported cultural property is growing and fuels further looting, destruction, removal and theft of and trafficking in such unique property, and recognizing that urgent and commensurate legislative and administrative measures are required to discourage demand for illicitly acquired cultural property in the market,

Alarmed at the growing involvement of organized criminal groups in all forms and aspects of trafficking in cultural property and related offences, and observing that cultural property is increasingly being sold through markets, including in auctions, in particular over the Internet, and that such property is being unlawfully excavated and illicitly exported or imported, with the facilitation of modern and sophisticated technologies,

Inviting Member States to protect cultural property and prevent trafficking in such property by introducing appropriate legislation, including, in particular,

[9] A/CONF.213/18, chap. I, resolution 1.
[10] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[11] Ibid., vol. 2349, No. 42146.
[12] Ibid., vol. 823, No. 11806.
[13] Available from www.unidroit.org.
[14] United Nations, *Treaty Series*, vol. 249, No. 3511.
[15] Ibid., vol. 2253, No. 3511.

procedures for its seizure, recovery and return, as well as by promoting education, launching awareness-raising campaigns, locating and inventorying such property, adopting adequate security measures, developing the capacities and human resources of monitoring institutions, such as the police and customs services, and the tourism sector, involving the media and disseminating information on the theft and pillaging of cultural property,

Acknowledging the important contribution of the International Scientific and Professional Advisory Council of the United Nations crime prevention and criminal justice programme network in this field,

Recognizing the indispensable role of crime prevention and criminal justice responses in order to combat all forms and aspects of trafficking in cultural property and related offences in a comprehensive and effective manner,

1. *Welcomes* Economic and Social Council resolution 2010/19 and resolution 5/7, entitled "Combating transnational organized crime against cultural property", adopted by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime at its fifth session, held in Vienna from 18 to 22 October 2010;

2. *Urges* Member States that are parties to the aforementioned conventions, including the United Nations Convention against Transnational Organized Crime[16] and the United Nations Convention against Corruption,[17] to fully implement them, encourages those Member States that have not yet done so to consider becoming parties to those conventions, and encourages Member States and relevant international organizations to strengthen crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking, within the framework of relevant United Nations conventions and United Nations resolutions, for the purpose of providing the widest possible international cooperation to address such crimes, including for the use of extradition, mutual legal assistance, confiscation and the return of stolen cultural property to its rightful owner;

3. *Welcomes* the decision taken by the Economic and Social Council in its resolution 2010/19 to convene at least one additional meeting of the open-ended intergovernmental expert group on protection against trafficking in cultural property, and encourages Member States and other donors to support the convening of that expert group meeting, and to submit to the Commission on Crime Prevention and Criminal Justice at its twenty-second session practical proposals for implementing, where appropriate, the recommendations made by the expert group at its meeting held in Vienna in November 2009, with due attention to aspects of criminalization, international cooperation and mutual legal assistance;

4. *Also welcomes* the request made by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime at its fifth session to its Working Group on International Cooperation and its Working Group on Technical Assistance to examine the relevant recommendations and outcomes of the meetings of the expert group on protection against trafficking in cultural property established within the framework of the Commission on Crime

[16] Ibid., vol. 2225, No. 39574.
[17] Ibid., vol. 2349, No. 42146.

Prevention and Criminal Justice, and to make recommendations for consideration by the Conference of the Parties in order to promote the practical application of the United Nations Convention against Transnational Organized Crime, by considering the extent and adequacy of existing norms, as well as other normative developments, with due attention to aspects of criminalization and international cooperation, including mutual legal assistance and extradition, in this regard;

5. *Urges* Member States and relevant institutions, as appropriate, to reinforce and fully implement mechanisms to strengthen international cooperation, including mutual legal assistance, in order to combat all forms and aspects of trafficking in cultural property and related offences, such as theft, looting, damage, removal, pillage and destruction of cultural property, and to facilitate the recovery and return of stolen cultural property, and requests the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Commission on Crime Prevention and Criminal Justice to continue their efforts to effectively strengthen crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking, bearing particularly in mind paragraph 12 of Economic and Social Council resolution 2010/19;

6. *Urges* Member States to consider, among other effective measures within the framework of their national legislation, criminalizing activities related to all forms and aspects of trafficking in cultural property and related offences by using a broad definition that can be applied to all stolen, looted, unlawfully excavated and illicitly exported or imported cultural property, and invites them to make trafficking in cultural property, including stealing and looting at archaeological and other cultural sites, a serious crime, as defined in article 2 of the United Nations Convention against Transnational Organized Crime, with a view to fully utilizing that Convention for the purpose of extensive international cooperation in fighting all forms and aspects of trafficking in cultural property and related offences;

7. *Also urges* Member States to take all appropriate steps and effective measures to strengthen legislative and administrative measures aimed at countering trade in stolen, looted and illicitly exported or imported cultural property, including appropriate domestic measures to maximize the transparency of activities of traders in cultural property in the market, in particular through effective regulations and supervision of dealers in antiquities, intermediaries and similar institutions in accordance with their national law and other applicable law;

8. *Invites* Member States to continue to submit, in writing, comments on the model treaty for the prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property,[18] including views on its potential utility and on whether any improvements to it should be considered at the earliest possible date, in order to assist the Secretariat in preparing an analysis and a report to be presented to the open-ended intergovernmental expert group on protection against trafficking in cultural property at its next meeting, as well as to the Commission on Crime Prevention and Criminal Justice at its twenty-second session;

[18] *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2, chap. I, sect. B.1, annex).

9. *Requests* the United Nations Office on Drugs and Crime, within its mandate, in consultation with Member States and in close cooperation, as appropriate, with the United Nations Educational, Scientific and Cultural Organization, the International Criminal Police Organization and other competent international organizations:

(a) To further explore the development of specific guidelines for crime prevention and criminal justice responses with respect to trafficking in cultural property;

(b) To explore possibilities for the collection, analysis and dissemination of data specifically addressing the relevant aspects of trafficking in cultural property;

(c) To continue to collect, analyse and disseminate information on crime trends through the United Nations Survey of Crime Trends and Operations of Criminal Justice Systems;

(d) To promote good practices, including in international cooperation;

(e) To assist Member States, upon request, in strengthening crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking;

(f) To consider, where appropriate, addressing trafficking in cultural property in its regional, interregional and thematic programmes;

10. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its twenty-second session on the implementation of the present resolution;

11. Invites Member States and other donors to provide extrabudgetary resources for the purposes of the present resolution, in accordance with the rules and procedures of the United Nations.

Draft resolution IV

Strengthening international cooperation in combating the harmful effects of illicit financial flows resulting from criminal activities

The General Assembly,

Concerned about the links between various types of transnational organized crime, including, as appropriate, drug[19] trafficking and related offences provided for in the United Nations Convention against Transnational Organized Crime,[20] and their impact on development, as well as on security in some cases,

Concerned also that transnational organized crime groups expand their activities to various sectors of economies with a view, inter alia, to legalizing proceeds of various types of crime, and utilize them for criminal purposes,

[19] All drugs under international control. This applies to all relevant references in the present resolution.

[20] United Nations, *Treaty Series*, vol. 2225, No. 39574.

Concerned further about cases of transnational organized crime, including, as appropriate, drug trafficking and related offences provided for in the United Nations Convention against Transnational Organized Crime, that involve vast quantities of assets, which may exceed the resources of some States, and that may weaken governance systems, national economies and the rule of law, and bearing in mind in this regard, inter alia, paragraph 50 of the Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem,[21]

Conscious of the need to enhance international cooperation to effectively prevent, detect and deter international transfers of illicitly acquired assets resulting from transnational organized crime, including, as appropriate, drug trafficking and related offences provided for in the United Nations Convention against Transnational Organized Crime,

Recognizing that the United Nations Convention against Transnational Organized Crime, the United Nations Convention against Corruption[22] and other relevant instruments, including the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[23] as well as relevant resolutions of other United Nations bodies, contribute to a global framework for preventing and countering the illicit flow of funds, including through money-laundering,

Recognizing also that the United Nations Convention against Transnational Organized Crime, the United Nations Convention against Corruption and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 provide fundamental global frameworks of international standards for States parties for preventing and combating money-laundering,

Welcoming its resolution 65/232 of 21 December 2010, on strengthening the United Nations crime prevention and criminal justice programme, in particular the use of its technical cooperation capacity for preventing and countering the illicit flow of funds,

Recalling paragraph 22 of the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,[24] adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, in which Member States were encouraged to consider developing strategies or policies to combat illicit financial flows,

Noting with interest the work undertaken in countering money-laundering within the framework of relevant specialized regional and international bodies, such as the World Bank, the International Monetary Fund, the Egmont Group of Financial Intelligence Units, the Financial Action Task Force on Money Laundering, regional bodies similar in style to the Task Force, the Organization for Economic Cooperation and Development, the International Criminal Police Organization and the World Customs Organization,

[21] A/64/92-E/2009/98, sect. II.A.
[22] United Nations, *Treaty Series*, vol. 2349, No. 42146.
[23] Ibid., vol. 1582, No. 27627.
[24] A/CONF.213/18, chap. I, resolution 1.

Noting with interest also the work of the United Nations Office on Drugs and Crime on the Global Programme against Money-Laundering, Proceeds of Crime and the Financing of Terrorism and the evaluation of the Global Programme by the Independent Evaluation Unit,

Convinced that technical assistance can play an important role in enhancing the ability of States, including by strengthening capacity and institution-building, to prevent, detect and deter illicit financial flows originating from transnational organized crime, including, as appropriate, drug trafficking and related offences provided for in the United Nations Convention against Transnational Organized Crime,

Aware that the availability of information on illicit financial flows resulting from transnational organized crime, including as appropriate, drug trafficking and related offences provided for in the United Nations Convention against Transnational Organized Crime, is very limited, and of the need to improve the quality, scope and completeness of such information,

Noting the many methods used by transnational organized crime groups for laundering proceeds of crime, including through illicit trafficking of precious metals and raw materials thereof, and welcoming further research by Member States and other entities to study such methods,

Taking note of the analytical work of the United Nations Office on Drugs and Crime, which provides a preliminary overview of different forms of emerging criminal activity and their negative impact on the sustainable development of societies,

Taking note with interest of the efforts made within the framework of the Paris Pact initiative regarding work with illicit financial flows as a key issue in the drug economy,

Recognizing that the strengthening of national and international measures against the laundering of proceeds of crime derived from transnational organized crime, including, as appropriate, drug trafficking and related offences provided for in the United Nations Convention against Transnational Organized Crime will contribute to weakening the economic power of criminal organizations,

Recognizing also the pertinence for the prevention of illicit financial flows of the review of implementation mechanisms for the United Nations Convention against Corruption, as well as for a possible mechanism or mechanisms for the implementation of the United Nations Convention against Transnational Organized Crime,

Aware of the need to enhance international cooperation in the confiscation and seizure of proceeds of crime derived from or obtained directly or indirectly through the commission of crimes, including by means of the smuggling of cash,

1. *Urges* States parties to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[25] the United Nations Convention against Transnational Organized Crime[26] and the United

[25] United Nations, *Treaty Series*, vol. 1582, No. 27627.

[26] Ibid., vol. 2225, No. 39574.

Nations Convention against Corruption[27] to apply fully the provisions of those Conventions, in particular measures to prevent and combat money-laundering, including by criminalizing the laundering of proceeds of transnational organized crime, including as appropriate, drug trafficking and related offences provided for in the United Nations Convention against Transnational Organized Crime, and invites Member States that have not yet done so to consider becoming parties to those Conventions;

2. *Encourages* Member States to fully implement the applicable standards, as appropriate, in order to adopt a comprehensive range of measures required to prevent and combat money-laundering and the financing of terrorism;

3. *Urges* Member States, in accordance with national laws, to require financial institutions and other businesses or members of any profession subject to obligations with regard to countering money-laundering to report promptly to the competent authorities any transaction of funds in which they have reasonable grounds to suspect that the assets are proceeds of crime and money-laundering resulting from transnational organized crime, including as appropriate, drug trafficking and related offences provided for in the United Nations Convention against Transnational Organized Crime;

4. *Also urges* Member States to consider taking all necessary measures to ensure that they do not provide safe havens for wanted fugitives who have accumulated or are harbouring in their possession proceeds of crime derived from transnational organized crime, including, as appropriate, drug trafficking and related offences provided for in the United Nations Convention against Transnational Organized Crime, or who finance organized crime or criminal organizations, in particular by extraditing or prosecuting, and urges Member States, in accordance with national laws and international law obligations, to fully cooperate with each other in this regard;

5. *Encourages* Member States to afford other countries the greatest possible measure of legal assistance and information exchange in connection with relevant investigations, inquiries and proceedings relating to tracing illicit financial flows and seeking the identification of illicitly acquired assets resulting from transnational organized crime, including, as appropriate, drug trafficking and related offences provided for in the United Nations Convention against Transnational Organized Crime;

6. *Encourages* Member States to cooperate in confiscation-related investigations and proceedings, including through the recognition and enforcement of foreign temporary judicial orders and confiscation judgements, management of assets and implementation of asset-sharing measures, in accordance with their laws and applicable treaties;

7. *Urges* Member States to establish or, where applicable, strengthen national institutions specializing in financial intelligence by allowing them to receive, obtain, analyse and disseminate financial information relevant to preventing, detecting and deterring illicit financial flows resulting from transnational organized crime, including, as appropriate, drug trafficking and related offences provided for in the United Nations Convention against Transnational

[27] Ibid., vol. 2349, No. 42146.

Organized Crime, and to ensure that such institutions have the ability to facilitate the exchange of such information with relevant international partners, in accordance with relevant domestic procedures;

8. *Also urges* Member States to consider related global and regional initiatives to facilitate the tracing of proceeds of crime resulting from transnational organized crime, including, as appropriate, drug trafficking and related offences provided for in the United Nations Convention against Transnational Organized Crime;

9. *Encourages* Member States, in accordance with the fundamental principles of their legal systems and consistent with their national legal frameworks, to consider implementing measures for confiscation of assets, absent a criminal conviction, in cases where it can be established that the subject assets are the proceeds of crime and a criminal conviction is not possible;

10. *Considers* that the review by the International Narcotics Control Board of the implementation of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 is also relevant for the work of the Commission on Crime Prevention and Criminal Justice in the area of money-laundering;

11. *Requests* the United Nations Office on Drugs and Crime, in close cooperation and consultation with Member States and in cooperation with relevant international organizations, to strengthen, simplify and make more efficient the collection and reporting of accurate, reliable and comparable data on transnational organized crime;

12. *Calls upon* the United Nations Office on Drugs and Crime to continue providing technical assistance, upon request, to Member States, in order to enhance their capacity to collect, analyse and report data on illicit financial flows resulting from transnational organized crime, including, as appropriate, drug trafficking and related offences provided for in the United Nations Convention against Transnational Organized Crime, as well as to prevent, detect and deter illicit financial flows and money-laundering resulting from such criminal activities;

13. *Urges* the United Nations Office on Drugs and Crime to continue providing technical assistance to Member States to combat money-laundering and the financing of terrorism through the Global Programme against Money-Laundering, Proceeds of Crime and the Financing of Terrorism, in accordance with related United Nations instruments and internationally accepted standards, including where applicable, recommendations of relevant intergovernmental bodies, inter alia, the Financial Action Task Force on Money Laundering, and relevant initiatives of regional, interregional and multilateral organizations against money-laundering;

14. *Requests* the United Nations Office on Drugs and Crime to continue, in consultation with Member States, its research on transnational organized crime, including illicit financial flows;

15. *Calls upon* the United Nations Office on Drugs and Crime to strengthen the Global Programme against Money-Laundering, inter alia, in line with the recommendations made by the Independent Evaluation Unit in its review of the Programme;

16. *Requests* the United Nations Office on Drugs and Crime to strengthen its cooperation with other appropriate international and regional organizations engaged in combating the harmful effects of illicit financial flows resulting from transnational organized crime, including, as appropriate, drug trafficking and related offences provided for in the United Nations Convention against Transnational Organized Crime, for the purposes of providing technical assistance in this regard;

17. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes, in accordance with the rules and procedures of the United Nations;

18. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission on Crime Prevention and Criminal Justice at its twenty-second session on measures taken and progress achieved in the implementation of the present resolution.

B. Draft resolutions for adoption by the Economic and Social Council

2. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft resolutions:

Draft resolution I

Prevention, protection and international cooperation against the use of new information technologies to abuse and/or exploit children

The Economic and Social Council,

Recalling General Assembly resolutions 55/63 of 4 December 2000, 56/121 of 19 December 2001 and 64/211 of 21 December 2009, concerning combating the criminal misuse of information technologies, as well as other relevant United Nations resolutions,

Reaffirming its resolutions 2004/26 of 21 July 2004, entitled "International cooperation in the prevention, investigation, prosecution and punishment of fraud, the criminal misuse and falsification of identity and related crimes", and 2007/20 of 26 July 2007, entitled "International cooperation in the prevention, investigation, prosecution and punishment of economic fraud and identity-related crime",

Reaffirming also Commission on Crime Prevention and Criminal Justice resolution 16/2 of 27 April 2007, entitled "Effective crime prevention and criminal justice responses to combat sexual exploitation of children",

Taking note of resolution 9, on computer-related crimes, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in which States were called upon to intensify their efforts to more effectively combat computer-related abuses,

Taking into consideration the outcome of the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on meeting the challenges of the twenty-first century in combating crime and promoting justice,

Underscoring the importance of paragraph 42 of the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,[28] adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, in which the Congress invited the Commission on Crime Prevention and Criminal Justice to consider convening an open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector, and welcoming the meeting of that expert group held in Vienna from 17 to 21 January 2011,

Expressing its recognition of the work of the Commission on Crime Prevention and Criminal Justice in combating cybercrime,

Bearing in mind that the United Nations Convention against Transnational Organized Crime[29] represents a major step forward in combating crimes relating to the use of new information and communications technologies,

Expressing concern that increasingly rapid technological advances have created new possibilities for the criminal misuse of new information and communications technologies,

Recalling the Convention on the Rights of the Child,[30] and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,[31]

Reaffirming that the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182), of the International Labour Organization requires States parties to take immediate and effective measures to secure the prohibition and elimination of the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances,

Reaffirming also Commission on Crime Prevention and Criminal Justice resolution 19/1 of 21 May 2010, entitled "Strengthening public-private partnerships to counter crime in all its forms and manifestations", and taking into consideration the outcome of the United Nations Office on Drugs and Crime symposium on public-private partnerships against transnational organized crime, held in Vienna on 8 April 2011, in which States called for effective cooperation with the private sector to combat sexual exploitation of children in a digital age,

Taking into account the fact that social spaces created using new information and communications technologies are heavily used by children for social interaction,

Stressing that new information and communications technologies and applications are being misused to commit child sexual exploitation crimes and that technical developments have permitted the appearance of crimes such as the production, distribution or possession of child sexual abuse images, audio or video,

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[28] A/CONF.213/18, chap. I, resolution 1.

[29] United Nations, *Treaty Series*, vol. 2225, No. 39574.

[30] Ibid., vol. 1577, No. 27531.

[31] Ibid., vol. 2171, No. 27531.

the exposure of children to harmful content, the grooming, harassment and sexual abuse of children and cyberbullying,

Bearing in mind the potential risks associated with certain content found on the Internet and virtual social networks and that easy contact with criminals online may affect the integral development of children,

Noting that, as a result of the technological advances of recent years, material that violates the integrity and rights of children is available to an increasing number of persons,

Expressing concern that new information and communications technologies have made it possible for criminals to contact children easily and in ways that were not previously possible,

Aware that new information and communications technologies make it possible to construct false identities that facilitate the abuse and/or exploitation of children by criminals,

Reaffirming that children should be afforded the same protection in cyberspace as in the physical world,

Underscoring the importance of cooperation between States and the private sector in combating the use of new information and communications technologies to abuse and/or exploit children,

Underscoring also the importance of international cooperation and coordination in effectively combating the criminal misuse of new information and communications technologies for the purpose of abusing and/or exploiting children,

Recognizing that gaps in the access to and use of new information and communications technologies by States can diminish the effectiveness of international cooperation in combating the use of those technologies to abuse and/or exploit children,

Noting the thematic discussion entitled "Protecting children in a digital age: the misuse of technology in the abuse and exploitation of children" held by the Commission on Crime Prevention and Criminal Justice at its twentieth session,

1. *Urges* those States that have not yet done so to consider ratifying the Convention on the Rights of the Child[32] and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,[33] the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182), of the International Labour Organization, the United Nations Convention against Transnational Organized Crime[34] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;[35]

[32] Ibid., vol. 1577, No. 27531.
[33] Ibid., vol. 2171, No. 27531.
[34] Ibid., vol. 2225, No. 39574.
[35] Ibid., vol. 2237, No. 39574.

2. *Urges* Member States to establish, develop and implement public policies and good practices aimed at protecting and defending the rights of the child,[36] referring to security, privacy and intimacy in spaces created using new information and communications technologies;

3. *Encourages* Member States to involve ministries responsible for telecommunications, agencies responsible for data protection and representatives of the information and communications technology industry in intersectoral mechanisms for addressing the misuse of new information and communications technologies to abuse and/or exploit children, with a view to offering comprehensive solutions for such misuse and avoiding the violation of the rights of the child;

4. *Urges* Member States to adopt measures, including, where appropriate, legislation, designed to criminalize all aspects of the misuse of technology to commit child sexual exploitation crimes and to consider, in accordance with national and international law, appropriate measures to detect and remove known child sexual abuse images from the Internet and to facilitate the identification of those responsible for the abuse and/or exploitation of children;

5. *Encourages* Member States to promote the creation and application of adequate verification measures to protect children online;

6. *Urges* Member States to specify the production, distribution, dissemination, voluntary receipt and possession of child sexual abuse and exploitation images as a criminal offence in their legal systems, along with deliberate and repeated access to websites containing such images and viewing this type of content stored online;

7. *Also urges* Member States, consistent with their national legal frameworks, to cooperate closely with Internet service providers, mobile telephone companies and other key actors to establish appropriate and efficient mechanisms, possibly including legislation for the reporting of child sexual abuse images and materials to the relevant authorities, to block websites with child sexual abuse images and to cooperate with law enforcement in the investigation and prosecution of the offenders responsible;

8. *Encourages* Member States to incorporate in their national legislation, in conformity with their legal systems, measures for saving and ensuring rapid access to electronic data during criminal investigations relating to the use of new information and communications technologies to abuse and/or exploit children;

9. *Urges* Member States to provide adequate resources to carry out their tasks effectively to their offices responsible for investigating and prosecuting the perpetrators of crimes committed using new information and communications technologies to violate the rights of the child;

10. *Encourages* Member States to implement awareness-raising activities to provide children with information on the mechanisms through which they can seek protection and assistance and report cases of abuse and/or exploitation in spaces created using new information and communications technologies, as well as awareness-raising activities aimed at parents and educators to prevent such crimes;

[36] The terms "child" and "children" refer to boys, girls and adolescents.

11. *Invites* Member States to implement effective reporting mechanisms whereby their citizens can report websites and/or virtual activities related to child sexual exploitation crimes;

12. *Urges* Member States to conduct campaigns to raise awareness among the general public of the risks of misuse of new information and communications technologies;

13. *Encourages* Member States to create and implement mechanisms for the appropriate authority to identify children who are abused and/or exploited through new information and communications technologies and to establish procedures for protecting them;

14. *Urges* Member States to promote the drafting and adoption of codes of conduct and other mechanisms of corporate social responsibility for Internet service providers, mobile telephone companies, Internet cafes and other relevant key actors;

15. *Requests* the United Nations Office on Drugs and Crime, taking into account, where appropriate, relevant data collected by the open-ended intergovernmental expert group to conduct a comprehensive study on the problem of cybercrime, to carry out a study facilitating the identification, description and evaluation of the effects of new information technologies on the abuse and exploitation of children, while taking into account relevant studies carried out by regional organizations and other organizations within the United Nations system, such as the United Nations Children's Fund, the International Telecommunication Union and the Office of the United Nations High Commissioner for Human Rights, with a view to promoting the exchange of experience and good practices;

16. *Also requests* the United Nations Office on Drugs and Crime, taking into account, where appropriate, relevant data collected by the expert group to conduct a comprehensive study on cybercrime, to design and carry out an assessment of the needs of States for training in the investigation of offences against children committed by using new information and communications technologies and, on the basis of the results of that survey, to design a training and technical assistance programme to assist Member States in combating such offences more effectively, subject to the availability of resources and not duplicating the efforts of the International Criminal Police Organization;

17. *Urges* Member States to increase their coordination and cooperation and to exchange information regarding good practices and successful experiences in combating the use of new information and communications technologies to abuse and/or exploit children;

18. *Encourages* Member States to take advantage of the knowledge and efforts, as well as the prevention initiatives, of the United Nations, other international organizations, regional organizations, civil society and the private sector to combat the criminal misuse of new information and communications technologies;

19. *Urges* Member States to ensure that mutual assistance regimes ensure the timely exchange of evidence in cases relating to the use of new information and communications technologies to abuse and/or exploit children;

20. *Invites* Member States to provide technical assistance and technology transfer, including training on investigational tools, particularly for the benefit of developing countries, with a view to enabling those countries to develop national capacity to effectively combat the activities of criminals who use new information and communications technologies to violate the rights of the child;

21. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its twenty-third session on the implementation of the present resolution;

22. *Invites* Member States and other donors to provide extrabudgetary resources for implementation of the relevant paragraphs of the present resolution, in accordance with the rules and procedures of the United Nations.

Draft resolution II

Support for the development and implementation of an integrated approach to programme development at the United Nations Office on Drugs and Crime

The Economic and Social Council,

Recalling General Assembly resolution 64/179 of 18 December 2009, entitled "Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity",

Recalling also the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime,[37] which provides a clear framework for the work of the Office,

Recalling further its resolution 2009/23 of 30 July 2009, entitled "Support for the development and implementation of the regional programmes of the United Nations Office on Drugs and Crime", and its resolution 2010/20 of 22 July 2010, entitled "Support for the development and implementation of an integrated approach to programme development at the United Nations Office on Drugs and Crime",

1. *Welcomes* the report of the Executive Director on support for the development and implementation of the regional programmes of the United Nations Office on Drugs and Crime;[38]

2. *Expresses its appreciation* for increased national ownership and participation in regional programmes, and encourages Member States in other subregions to engage with the United Nations Office on Drugs and Crime in the preparation of similar subregional programmes;

3. *Requests* the Secretariat to promote a culture of evaluation throughout the organization, to mainstream the use of relevant monitoring and evaluation tools in programme planning and implementation and to provide adequate training, as appropriate and within available resources, to staff both at headquarters and in field offices;

[37] Economic and Social Council resolution 2007/12, annex.
[38] E/CN.7/2011/6-E/CN.15/2011/6.

4. *Requests* that all regional and thematic programmes include provisions for evaluation, including an evaluation budget, an evaluation report and evaluation skills capacity development, and that already existing programmes be supplemented with annexes containing such provisions;

5. *Welcomes* the launch of the United Nations Office on Drugs and Crime Quality Control and Oversight Unit, which monitors programme and office performance of field offices and is aimed at demonstrating financial accountability through transparency and documented records, assisting both United Nations Office on Drugs and Crime headquarters and field offices in financial oversight and quality assurance;

6. *Encourages* Member States to continue to support the regional and thematic programmes of the United Nations Office on Drugs and Crime through unearmarked voluntary contributions, preferably through the general-purpose fund, when feasible, thereby supporting national ownership and regional prioritization;

7. *Welcomes* the progress made so far in the operationalization of the Central American Integration System/United Nations Office on Drugs and Crime Mechanism and its corresponding progressive development;

8. *Takes note* of the ongoing efforts on the thematic and regional programmes developed with the support of the United Nations Office on Drugs and Crime and the launching of the regional programmes for West Africa and East Africa, as well as supporting the ongoing work of the regional programmes for East Asia and the Pacific, South-Eastern Europe and Central America and the Caribbean, and also takes note of the presentation of the regional programme for the Arab States during the meeting of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime held on 18 February 2011 and of its inauguration;

9. *Looks forward* to the development of regional programmes for Afghanistan and neighbouring countries and Southern Africa, in consultation with the Member States of that region, in the course of 2011;

10. *Welcomes* the establishment of centres of excellence in different countries of Latin America and the Caribbean as an important component for the effective implementation of regional and thematic programmes, and takes note of the possible establishment of such centres of excellence or similar institutions in other countries in the region;

11. *Supports* the work of the United Nations Office on Drugs and Crime in leading the development of the integrated programme approach, in close cooperation with Member States;

12. *Encourages* increased joint activities among entities of the United Nations system, development agencies and regional organizations, within their respective mandates;

13. *Encourages* Member States, where appropriate, to draw on the technical assistance activities outlined in the regional programmes of the United Nations Office on Drugs and Crime and use the regional programmes as a vehicle for increasing regional cooperation on thematic strategies;

14. *Encourages* the United Nations Office on Drugs and Crime to engage with bilateral and multilateral aid agencies and financial institutions to continue to support the implementation of regional and thematic programmes of the United Nations Office on Drugs and Crime;

15. *Requests* the United Nations Office on Drugs and Crime to continue to give high priority and support to the implementation of the integrated regional and thematic programme approach, including informing the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime of progress made, and to report on progress made in such implementation to the Commission on Crime Prevention and Criminal Justice at its twenty-first session.

Draft resolution III

International cooperation in the prevention, investigation, prosecution and punishment of economic fraud and identity related crime

The Economic and Social Council,

Concerned about substantial increases in the volume, rate of transnational occurrence and range of offences relating to economic fraud and identity-related crime,

Concerned also about the use of identity-related crime to further the commission of other illicit activities,

Concerned further about the role played by information, communications and computer technologies in the evolution of economic fraud and identity-related crime,

Convinced of the need to develop comprehensive, multifaceted and coherent strategies and measures, including both reactive and preventive measures, to counter such forms of crime,

Convinced also of the importance of partnerships and synergies between Member States and civil society, in particular when they are developing their respective strategies and measures,

Convinced further of the need for Member States to explore the development of appropriate and timely support and services for victims of economic fraud and identity-related crime,

Bearing in mind the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,[59] in which serious concerns were expressed about the challenge posed by economic fraud and identity-related crime and their links to other criminal and, in some cases, terrorist activities, and in which Member States were invited to take appropriate legal measures to prevent, prosecute and punish economic fraud and identity-related crime and to continue to support the

[59] A/CONF.213/18, chap. I, resolution 1.

work of the United Nations Office on Drugs and Crime in that area and were encouraged to enhance international cooperation in that area, including through the exchange of relevant information and best practices, as well as through technical and legal assistance,

Acknowledging the efforts of the United Nations Office on Drugs and Crime to facilitate the work of the core group of experts on identity-related crime as a platform to bring together on a regular basis representatives from Governments, private sector entities, international and regional organizations and academia to pool experience, develop strategies, facilitate further research and agree on practical action against identity-related crime,

Noting the work of the core group of experts on identity-related crime at its meetings held in Vienna from 18 to 22 January 2010 and from 6 to 8 December 2010,

Recalling that, in its resolutions 2007/20 of 26 July 2007 and 2009/22 of 30 July 2009, the Economic and Social Council requested the United Nations Office on Drugs and Crime to provide, upon request and subject to the availability of extrabudgetary resources, legal expertise or other forms of technical assistance to Member States reviewing or updating their laws dealing with transnational fraud and identity-related crime in order to ensure that appropriate legislative responses to such offences were in place,

1. *Takes note* of the report of the Secretary-General on international cooperation in the prevention, investigation, prosecution and punishment of economic fraud and identity-related crime,[40] containing information on the efforts of reporting Member States to implement Economic and Social Council resolution 2009/22 of 30 July 2009 and on their strategies for responding to the problems posed by such forms of crime;

2. *Recommends* that the work of the core group of experts on identity-related crime be taken into account by the open-ended intergovernmental expert group established in accordance with paragraph 42 of the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World[41] to conduct a comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector, including the exchange of information on national legislation, best practices, technical assistance and international cooperation, with a view to examining options to strengthen existing and propose new national and international legal or other responses to cybercrime;

3. *Welcomes* the elaboration by the United Nations Office on Drugs and Crime and distribution to Member States of the *Handbook on Identity-related Crime*, including a practical guide to international cooperation to combat identity-related crime, expresses its gratitude to the Government of Canada for its financial support of that work, and encourages the use of the *Handbook* in technical assistance activities, in line with the mandates arising from Economic and Social Council resolutions 2004/26 of 21 July 2004, 2007/20 of 26 July 2007 and 2009/22 of 30 July 2009;

[40] E/CN.15/2011/16.

[41] A/CONF.213/18, chap. I, resolution 1.

4. *Also welcomes* the work on victim issues in the field of identity-related crime undertaken in the framework of the United Nations crime prevention and criminal justice programme and its component institutions and, in particular, the release of a manual providing guidelines to law enforcement agents and prosecutors on the protection of victims of identity-related crime, and invites the United Nations Office on Drugs and Crime, through the core group of experts on identity-related crime and subject to the availability of extrabudgetary resources, to work jointly with the International Centre for Criminal Law Reform and Criminal Justice Policy, with a view to expanding the manual, where appropriate, for use in different legal systems;

5. *Urges* Member States to cooperate effectively at the bilateral, regional and international levels, including on matters of extradition, mutual legal assistance, confiscation of proceeds of crime and property and their return, in connection with economic fraud and identity-related crime;

6. *Encourages* Member States to study, at the national level, the specific short- and long-term effects of economic fraud and identity-related crime on society and on victims of such forms of crime and to develop strategies or programmes to combat those forms of crime;

7. *Requests* the United Nations Office on Drugs and Crime to continue its efforts, in consultation with the United Nations Commission on International Trade Law, to promote mutual understanding and the exchange of views between public and private sector entities on issues related to economic fraud and identity-related crime and, in particular, to focus the future work of the core group of experts on identity-related crime on, among other things, the various issues raised by engaging the resources and expertise of the private sector in the development and delivery of technical assistance in this field;

8. *Invites* the United Nations Office on Drugs and Crime to cooperate with other international organizations active in this field, including the International Telecommunication Union and its Lead Study Group on Identity Management, as well as the International Criminal Police Organization and the International Civil Aviation Organization, in areas such as the setting of technical standards for documents, the forensic examination of fraudulent documents and the compilation of data that could be used for pattern analysis and the prevention of identity-related crime;

9. *Requests* the United Nations Office on Drugs and Crime to continue its efforts, including through the core group of experts on identity-related crime, to collect information and data on the challenges posed by economic fraud and identity-related crime in different geographical regions;

10. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its twenty-second session on the implementation of the present resolution.

Draft resolution IV

Crime prevention and criminal justice responses against illicit trafficking in endangered species of wild fauna and flora

The Economic and Social Council,

Recalling its resolutions 2001/12 of 24 July 2001 and 2003/27 of 22 July 2003, concerning illicit trafficking in protected species of wild fauna and flora, and 2008/25 of 24 July 2008, concerning international cooperation in preventing and combating illicit international trafficking in forest products, including timber, wildlife and other forest biological resources,

Recalling also General Assembly resolution 62/98 of 17 December 2007, in which the Assembly adopted a non-legally binding instrument on all types of forests, by which Member States and others were called upon to enhance bilateral, regional and international cooperation to address illicit international trafficking in forest products through the promotion of forest law enforcement and good governance at all levels, as well as to strengthen, through enhanced bilateral, regional and international cooperation, the capacity of countries to combat effectively illicit international trafficking in forest products, including timber, wildlife and other forest biological resources,

Recalling further the Convention on International Trade in Endangered Species of Wild Fauna and Flora[42] of 1973 and efforts made by parties to the Convention to implement it,

Reaffirming Commission on Crime Prevention and Criminal Justice resolution 16/1, in which, inter alia, the Commission strongly encouraged Member States to cooperate at the bilateral, regional and international levels to prevent, combat and eradicate such illicit international trafficking in forest products, including timber, wildlife and other forest biological resources, where appropriate, through the use of international legal instruments such as the United Nations Convention against Transnational Organized Crime[43] and the United Nations Convention against Corruption,[44]

Conscious of the importance of promoting public-private partnerships to address illicit trafficking in endangered species of wild fauna and flora, especially as regards the adoption of preventive measures,

Welcoming General Assembly resolution 65/230, on the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, in which the Assembly endorsed the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World[45] and invited Governments to take it into consideration when formulating legislation and policy directives and to make every effort, where appropriate, to implement the principles contained therein, taking into account the economic, social, legal and cultural specificities of their respective States,

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[42] United Nations, *Treaty Series*, vol. 993, No. 14537.
[43] Ibid., vol. 2225, No. 39574.
[44] Ibid., vol. 2349, No. 42146.
[45] A/CONF.213/18, chap. I, resolution 1.

Bearing in mind paragraph 14 of the Salvador Declaration, in which Member States acknowledged the challenge posed by emerging forms of crime that have a significant impact on the environment, encouraged Member States to strengthen their national crime prevention and criminal justice legislation, policies and practices in this area and invited Member States to enhance international cooperation, technical assistance and the sharing of best practices in this area, and also invited the Commission on Crime Prevention and Criminal Justice, in coordination with the relevant United Nations bodies, to study the nature of the challenge and ways to deal with it effectively,

Concerned by the involvement of organized criminal groups in all aspects of illicit trafficking in endangered species of wild fauna and flora, and underscoring in that regard the usefulness of the United Nations Convention against Transnational Organized Crime in reinforcing international cooperation in the fight against such crime,

Recognizing the efforts made at the bilateral, regional and international levels and the work of the International Consortium on Combating Wildlife Crime, a collaboration among the secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the International Criminal Police Organization, the United Nations Office on Drugs and Crime, the World Bank and the World Customs Organization, as well as the work of the United Nations Environment Programme, the Food and Agriculture Organization of the United Nations, the World Trade Organization and the United Nations Conference on Trade and Development, in combating illicit trafficking in endangered species of wild fauna and flora,

Recalling the importance of effective cooperation between the United Nations Office on Drugs and Crime and relevant international organizations in combating illicit trafficking in endangered species of wild fauna and flora and for organizing, upon request, the provision of technical assistance to States in the areas of crime prevention and criminal justice,

1. *Strongly encourages* Member States to take appropriate measures to prevent and combat illicit trafficking in endangered species of wild fauna and flora, including the adoption, where appropriate, of the necessary legislation for the prevention, investigation and prosecution of such illicit trafficking, in accordance with the Convention on International Trade in Endangered Species of Wild Fauna and Flora,[46] including its fundamental principles;

2. *Urges* Member States to strengthen international, regional and bilateral cooperation, including for purposes of extradition, mutual legal assistance, identification, and seizure and confiscation of proceeds of crime, and invites them to reinforce and develop relevant mechanisms for such purposes, in order to combat all forms and aspects of illicit trafficking in endangered species of wild fauna and flora and to facilitate the confiscation and/or return of such species, consistent with applicable international instruments;

3. *Also urges* Member States, in that regard, to consider, as appropriate, reviewing their legal frameworks with a view to providing the most extensive international cooperation possible to fully address all aspects of illicit trafficking in

[46] United Nations, *Treaty Series*, vol. 993, No. 14537.

endangered species of wild fauna and flora, particularly with regard to extradition and mutual legal assistance for investigation and prosecution;

4. *Calls on* Member States to fully utilize the United Nations Convention against Transnational Organized Crime[47] and the United Nations Convention against Corruption[48] for preventing and combating illicit trafficking in endangered species of wild fauna and flora, and in that regard calls on Member States that have not done so to consider becoming parties to those Conventions, and calls for their full and effective implementation by States parties;

5. *Invites* Member States to consider making illicit trafficking in endangered species of wild fauna and flora a serious crime, in accordance with their national legislation and article 2, paragraph (b), of the United Nations Convention against Transnational Organized Crime, especially when organized criminal groups are involved;

6. *Encourages* Member States to identify opportunities to enhance law enforcement cooperation and information-sharing, by such means as exchanging law enforcement personnel, holding joint law enforcement activities and using existing law enforcement networks;

7. *Also encourages* Member States to share their experiences and best practices in the detection and prosecution of illicit trafficking in endangered species of wild fauna and flora, including in the thematic discussion to be held during the twenty-second session of the Commission on Crime Prevention and Criminal Justice;

8. *Requests* the United Nations Office on Drugs and Crime, within its mandate, to join the relevant international organizations in promoting and organizing meetings, seminars, similar events and all types of relevant cooperation to which the Office can contribute as regards the crime prevention and criminal justice aspect of protection against illicit trafficking in endangered species of wild fauna and flora;

9. *Also requests* the United Nations Office on Drugs and Crime, in consultation with Member States, in accordance with its mandate and in close cooperation with the competent international organizations referred to above in the present resolution, to explore ways and means to contribute to ongoing efforts to collect, analyse and disseminate relevant data, specifically addressing the scope, prevalence and other relevant aspects of illicit trafficking in endangered species of wild fauna and flora;

10. *Further requests* the United Nations Office on Drugs and Crime, within its mandate, in cooperation with Member States, relevant international organizations and the private sector, to continue to provide, upon request, technical assistance to States, particularly as regards the prevention, investigation and prosecution of illicit trafficking in endangered species of wild fauna and flora through, inter alia, the development of tools and capacity-building activities and through education and awareness-raising campaigns;

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[47] Ibid., vol. 2225, No. 39574.
[48] Ibid., vol. 2349, No. 42146.

11. *Invites* Member States and other donors to provide extrabudgetary resources, where necessary and in accordance with the rules and procedures of the United Nations, for the implementation of the relevant paragraphs of the present resolution;

12. *Requests* the Secretary-General to prepare and submit a report to the Commission on Crime Prevention and Criminal Justice at its twenty-second session on the implementation of the present resolution.

C. Draft decisions for adoption by the Economic and Social Council

3. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft decisions:

Draft decision I

Report of the Commission on Crime Prevention and Criminal Justice on its twentieth session, provisional agenda for its twenty-first session and organization of work of its future sessions

The Economic and Social Council:

(a) Takes note of the report of the Commission on Crime Prevention and Criminal Justice on its twentieth session;

(b) Recalling its decision 2010/243 of 22 July 2010, decides that the prominent theme for the twenty-first session of the Commission will be "Violence against migrants, migrant workers and their families";

(c) Bearing in mind the discussions of the Commission at its twentieth session on how to improve its methods of work:

(i) Decides that, for the future sessions of the Commission, starting with its twenty-first session, on an experimental basis, the part of the session held in the first half of the year will commence after a sufficient period of time has elapsed, if possible at least two months, following the closure of the part of the session of the Commission on Narcotic Drugs held in the first half of the year, to allow both Member States and the Secretariat to prepare and conduct their work in a more efficient manner;

(ii) Takes note with appreciation that the Commission decided that for the future sessions of the Commission, starting with its twenty-first session, on an experimental basis:

a. The firm deadline for the submission of draft resolutions to be considered at the part of the session held in the first half of the year will be one month prior to the commencement of that part of the session;

b. Member States are encouraged to take advantage of the one-month deadline to consider, where appropriate, merging draft resolutions or reducing their length, with a view to enabling the Commission to address a reasonable number of draft resolutions and increase the efficiency of its work;

(iii) Decides that the Secretariat shall make the necessary arrangements for the adequate implementation of paragraphs (c) (i) and (ii) above, in particular by ensuring that the draft resolutions are made available in all six official languages at least three weeks before the start of the part of the session of the Commission held in the first half of the year;

(d) Taking note of, and in order to further the objectives of, General Assembly resolution 52/214 of 22 December 1997, section B, in which the Assembly invited all intergovernmental bodies to consider, where appropriate, the possibility of reducing the length of their reports from the desired limit of thirty-two pages to twenty pages over a period of time without adversely affecting either the quality of presentation or the content of the reports, decides that the Commission on Crime Prevention and Criminal Justice should make efforts to reduce the length of its annual reports, bearing in mind the need for such reports to include resolutions and decisions adopted or transmitted by the Commission at its sessions, as well as briefer summaries of its deliberations under each agenda item, focusing in particular on policy findings and conclusions reached;

(e) Welcomes the invitation of the Commission to the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime to further reflect on the working methods of the Commission and to present its recommendations on this issue at the next session of the Commission;

(f) Approves the provisional agenda and documentation for the twenty-first session of the Commission set out below.

Provisional agenda and documentation for the twenty-first session of the Commission on Crime Prevention and Criminal Justice

1. Election of officers.

2. Adoption of the agenda and other organizational matters.

Documentation

Provisional agenda and annotations

3. Strategic management, budgetary and administrative questions:

(a) Work of the working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime;

(b) Directives on policy and budgetary issues for the United Nations crime prevention and criminal justice programme.

Documentation

Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime

Report by the Secretariat on progress made in the implementation of the integrated regional and thematic programme approach

Report by the Secretariat on the implementation of resolutions

Note by the Secretariat on the work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime

Other reports of the Secretary-General or Executive Director in accordance with mandates

Note by the Secretary-General transmitting the report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute

4. Thematic discussion on violence against migrants, migrant workers and their families.

Documentation

Note by the Secretariat

5. Integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice:

(a) Ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto;

(b) Ratification and implementation of the United Nations Convention against Corruption;

(c) Ratification and implementation of the international instruments to prevent and combat terrorism;

(d) Other crime prevention and criminal justice matters;

(e) Other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies.

Documentation

Report of the Secretary-General on international cooperation in combating transnational organized crime and corruption

Report of the Secretary-General on assistance in implementing the universal conventions and protocols related to terrorism

Report of the Secretary-General on the activities of the institutes of the United Nations crime prevention and criminal justice programme network

Report of the Secretary-General on strengthening crime prevention and criminal justice responses to violence against women

Report of the Secretary-General on international cooperation in the forensic field

Report of the Secretary-General on the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons

Note by the Secretariat on the Fourth World Summit of Attorneys General, Prosecutors General and Chief Prosecutors in collaboration with the technical secretariat of the World Summit and the International Association of Prosecutors

6. World crime trends and emerging issues and responses in the field of crime prevention and criminal justice.

Documentation

Report of the Secretary-General on crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking

Report of the Secretary-General on strengthening public-private partnerships to counter crime in all its forms and manifestations

Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime

Note by the Secretariat on patterns, forms and flows of trafficking in persons at all levels

Note by the Secretariat (*as required*)

7. Follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice.

Documentation

Report of the Secretary-General on the follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice

8. Use and application of United Nations standards and norms in crime prevention and criminal justice.

Documentation

Report of the Secretary-General on United Nations standards and norms in crime prevention and criminal justice

Other report of the Secretary-General or Executive Director in accordance with mandates

Report of the intergovernmental expert group on the revision of existing United Nations standard minimum rules for the treatment of prisoners

9. Provisional agenda for the twenty-second session of the Commission.

10. Other business.

11. Adoption of the report of the Commission on its twenty-first session.

Draft decision II

Improving the governance and financial situation of the United Nations Office on Drugs and Crime: extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime

The Economic and Social Council, recalling its decision 2009/251 of 30 July 2009, entitled "Frequency and duration of the reconvened sessions of the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice", in which it established that, starting in 2010, the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice would hold reconvened sessions on an annual basis in the second half of the year in order to be able, pursuant to Commission on Crime Prevention and Criminal Justice resolution 18/3 of 24 April 2009, to consider, inter alia, the reports of and the recommendations proposed by the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime:

(a) Expresses its awareness of the importance of the role of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime in assisting the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice in effectively addressing financial and governance issues relevant to the work of both Commissions;

(b) Reaffirms the role of the Commission on Crime Prevention and Criminal Justice as governing body of the United Nations on matters of crime prevention and criminal justice and as the governing body of the crime programme of the United Nations Office on Drugs and Crime;

(c) Expresses its concern about the governance and financial situation of the United Nations Office on Drugs and Crime, and expresses its awareness of the urgent need to address these issues in a pragmatic, result-oriented, efficient and cooperative manner;

(d) Reaffirms Commission on Crime Prevention and Criminal Justice resolution 18/3 of 24 April 2009, and decides to renew the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime until the part of the session of the Commission to be held in the first half of 2013, at which time the Commission shall carry out a thorough review of the functioning of the working group and consider the extension of its mandate;

(e) Also decides that the working group shall hold at least two formal meetings, one in the first quarter of 2012 and one in the first quarter of 2013, in advance of the part of the sessions of the Commission to be held in the first half of those years, and that the dates of those and possible additional informal meetings shall be determined by the co-chairs of the working group in consultation with the Secretariat;

(f) Requests that the relevant documentation be provided to the working group in a timely manner, and approves the provisional agenda of the working group as follows:

1. Consolidated budget for the biennium 2012-2013 for the United Nations Office on Drugs and Crime.
2. Governance and financial situation of the Office.
3. Evaluation and oversight.
4. Other matters.

D. Matters brought to the attention of the Economic and Social Council

4. The following resolutions and decisions adopted by the Commission on Crime Prevention and Criminal Justice are brought to the attention of the Economic and Social Council:

Resolution 20/1

Improving the governance and financial situation of the United Nations Office on Drugs and Crime: recommendations of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime

The Commission on Crime Prevention and Criminal Justice,

Recalling its resolution 18/3 of 24 April 2009, entitled "Improving the governance and financial situation of the United Nations Office on Drugs and Crime", in which it decided to establish a standing open-ended intergovernmental working group on governance and finance, in order to achieve the common objective of strengthening the performance and effectiveness of the United Nations Office on Drugs and Crime,

Recalling also Economic and Social Council decision 2009/251 of 30 July 2009, entitled "Frequency and duration of the reconvened sessions of the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice", in which the Council decided that, starting in 2010, the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice would hold reconvened sessions on an annual basis in the second half of the year, in order to be able, pursuant to Commission on Crime Prevention and Criminal Justice resolution 18/3, to consider the reports of and the recommendations proposed by the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime,

Recalling further that in its resolution 18/3, it emphasized that the working group, in its formal and informal meetings, should be a forum for dialogue among

Member States and between Member States and the Secretariat on the development of the programmes of the United Nations Office on Drugs and Crime,

Reaffirming the role of the Commission on Crime Prevention and Criminal Justice as the principal policymaking organ of the United Nations on matters of crime prevention and criminal justice and as the governing body of the crime programme of the United Nations Office on Drugs and Crime,

Reaffirming also Economic and Social Council resolutions 2009/23 of 30 July 2009, entitled "Support for the development and implementation of the regional programmes of the United Nations Office on Drugs and Crime", 2010/17 of 22 July 2010, entitled "Realignment of the functions of the United Nations Office on Drugs and Crime and changes to the strategic framework", and 2010/20 of 22 July 2010, entitled "Support for the development and implementation of an integrated approach to programme development at the United Nations Office on Drugs and Crime", and Commission on Crime Prevention and Criminal Justice resolution 18/6 of 3 December 2009, entitled "Budget for the biennium 2010-2011 for the United Nations Crime Prevention and Criminal Justice Fund",

Recalling General Assembly resolution 64/243 of 24 December 2009, entitled "Questions relating to the proposed programme budget for the biennium 2010-2011", in paragraph 85 of which the Assembly expressed concern regarding the overall financial situation of the United Nations Office on Drugs and Crime and requested the Secretary-General to submit proposals in his proposed programme budget for the biennium 2012-2013 to ensure that the Office had sufficient resources to carry out its mandate,

Concerned about the governance and financial situation of the United Nations Office on Drugs and Crime, and aware of the urgent need to address these issues in a pragmatic, result-oriented, efficient and cooperative manner,

1. *Takes note* of the work and the report on the work of its standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime in accordance with Commission resolution 18/3;[49]

2. *Expresses its appreciation* to the co-chairs of the working group for their work and to the Secretariat for its assistance in facilitating the work of the working group, including by providing, inter alia, updates on the financial situation of the United Nations Office on Drugs and Crime and briefings and presentations on thematic and regional programmes to the working group, as well as on evaluation and oversight issues, and requests the Secretariat to continue providing such necessary assistance, bearing in mind the limited resources available to the Secretariat;

3. *Welcomes* the established practice of having a clear schedule of meetings and programme of work for the working group, as well as other measures taken with a view to improving the functioning and efficiency of the working group, and requests that a draft agenda of each meeting of the working group be distributed a reasonable amount of time before the meeting, accompanied by all the relevant documents for such meetings;

[49] E/CN.7/2011/9-E/CN.15/2011/9.

Medium-term strategy for the period 2012-2015

4. *Requests* the Secretariat and the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime to develop, as follow-up to the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime,[50] an updated strategy for the period 2012-2015, to present such a strategy to the Commission at its reconvened twentieth session for its consideration and to share that strategy with the Commission on Narcotic Drugs at its reconvened fifty-fourth session, in the second half of 2011;

5. *Urges* the Secretariat to continue to ensure that the updated strategy, as approved by Member States, and as reflected in the strategic frameworks covering the bienniums 2012-2013 and 2014-2015, guides the formulation of clearly defined objectives, improved benchmarks and performance indicators measuring both qualitatively and quantitatively the impact of the work of the Office, in full compliance with relevant resolutions of the General Assembly on result-based budgeting;

Evaluation and oversight

6. *Recalls* that in its resolution 18/6 of 3 December 2009, it decided that the consolidated budget for the biennium 2010-2011 for the United Nations Office on Drugs and Crime should contain adequate provisions for the establishment of a sustainable, effective and operationally independent evaluation unit, welcomes the appointment of the head of the Independent Evaluation Unit, urges the Secretariat to swiftly implement Commission resolution 18/6 in order to ensure that the Independent Evaluation Unit becomes fully staffed and operational without further delay, and invites the Unit to focus its evaluations on implementation, performance and impact of thematic and regional programmes and to continue consultations with the working group on this matter;

7. *Requests* the Secretariat to promote a culture of evaluation throughout the United Nations Office on Drugs and Crime, to mainstream the use of relevant monitoring and evaluation tools in programme planning and implementation, to provide adequate training, as appropriate and within available resources, to staff at the headquarters of the United Nations Office on Drugs and Crime and its field offices, and to report to the Commission at its reconvened twentieth session on measures planned and taken in this regard;

8. *Also requests* the Secretariat to make the reports of the Independent Evaluation Unit, including its annual report, available to all Member States well in advance of the part of the sessions of the Commission held in the first half of the year, in order to increase all Member States' awareness of the Independent Evaluation Unit's activities and findings and to promote transparency;

9. *Takes note* of the report of the Joint Inspection Unit entitled "Review of management and administration in the United Nations Office on Drugs and Crime",[51] and requests the working group, within its mandate, to thoroughly consider the observations and recommendations made in that report, with a view to

[50] Economic and Social Council resolution 2007/12, annex.
[51] JIU/REP/2010/10.

presenting recommendations for appropriate follow-up to the Commission for its consideration at its reconvened twentieth session and to share such recommendations with the Commission on Narcotic Drugs at its reconvened fifty-fourth session, in the second half of 2011;

10. *Requests* the working group to explore the possibility of creating, if possible by the end of 2011, an internal system to monitor the implementation of recommendations made by relevant oversight bodies, including the Office of Internal Oversight Services, the Joint Inspection Unit, the Board of Auditors and the Independent Evaluation Unit, and to report to the Commission at its reconvened twentieth session;

Supporting the integrated programme approach

11. *Welcomes with appreciation* the progress made in developing and implementing, within the mandate of the United Nations Office on Drugs and Crime and in continual consultation with Member States, an integrated programme approach, comprising thematic and regional programmes for the delivery of the normative and technical assistance mandates of the United Nations Office on Drugs and Crime, and requests the Executive Director of the United Nations Office on Drugs and Crime to continue presenting such thematic and regional programmes to the working group, to continue giving high priority and support to the implementation of the integrated programme approach through the promotion of the regional and thematic programmes, to report on progress made in such implementation to the Commission at its reconvened twentieth session and to share that report with the Commission on Narcotic Drugs at its reconvened fifty-fourth session, in the second half of 2011;

Measures to improve the funding situation of the United Nations Office on Drugs and Crime

12. *Urges* all Member States to provide the fullest possible financial and political support to the United Nations Office on Drugs and Crime by widening its donor base and increasing voluntary contributions, in particular general-purpose contributions, so as to enable the Office to continue, expand, improve and strengthen its operational and technical cooperation activities, within its mandates, and recalls General Assembly resolution 65/233 of 21 December 2010, in which the Assembly recommended that a sufficient share of the regular budget of the United Nations continue to be allocated to the Office to enable it to carry out its mandates in a consistent and stable manner;

13. *Requests* the Secretariat to continue to improve its result-based and outcome-oriented reporting on programme implementation, in order to enhance transparency and the Member States' confidence in and political ownership of the activities of the United Nations Office on Drugs and Crime in an effort to reduce the earmarking of contributions;

14. *Encourages* Member States that are in a position to do so to commit a share of their contributions to general-purpose funding, in order to maintain a sustainable balance between general-purpose funds and special-purpose funds;

15. *Invites* Member States to consider applying "soft" earmarking in support of the regional and thematic programmes, in order to introduce flexibility into a funding system that continues to be driven mostly by earmarked contributions;

16. *Welcomes* the recent trend whereby Member States have committed themselves to making, on a voluntary basis, biennial or multi-year indicative financial pledges for general-purpose and special-purpose funding, and encourages all Member States that are in a position to commit to such biennial or multi-year pledging to consider following that emerging practice, preferably in alignment with the biennial budget cycle of the United Nations Office on Drugs and Crime, in order to enhance the predictability and stability of funding for the Office;

17. *Requests* the Secretariat, in an effort to address the financial challenges of the United Nations Office on Drugs and Crime, especially in the light of decreasing general-purpose contributions, to ensure that the programme support charge is no less than the current recommended standard charge of 13 per cent, giving due consideration to the Financial and Administrative Framework Agreement between the European Community, represented by the Commission of the European Communities, and the United Nations;

18. *Also requests* the Secretariat to employ transparent and uniform criteria in applying the programme support charge, to continue consultations with the working group on this matter and to report to the Commission at its reconvened twentieth session;

19. *Urges* the Secretariat to formulate, in close consultation with the working group, a fund-raising strategy to broaden the donor base, and encourages Member States to contribute to general-purpose funding, as well as special-purpose funding;

20. *Encourages* host countries to explore ways to continue to provide adequate support to the field offices of the United Nations Office on Drugs and Crime, and invites the working group to further discuss ways to encourage host countries to make voluntary contributions to regular operating costs of country and programme offices, with a view to improving the financial sustainability of the field office network of the United Nations Office on Drugs and Crime, and to report to the Commission at its reconvened twentieth session on this matter;

Improving the governing role and functioning of the Commission

21. *Recommends*, with a view to improving the governing role and functioning of the Commission and the effective and adequate implementation of decisions adopted by the Commission, the following:

(a) The Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice should hold joint reconvened sessions limited to agenda items included in the operational segment of the agendas of both Commissions, with a view to providing integrated policy directives to the United Nations Office on Drugs and Crime on administrative, budgetary and strategic management issues, and, in this context, the practice of holding back-to-back but separate reconvened sessions of the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice should be continued, in order to deal with agenda items included in the normative segment of the agenda of each Commission;

(b) The working group should examine modalities for ensuring that guidance to the Office is provided in an integrated way;

(c) Member States are encouraged to present and discuss draft resolutions well in advance of the part of the sessions of the Commission on Crime Prevention and Criminal Justice held in the first half of the year, so that the Commission will be able to make informed decisions; such preliminary discussions shall not in any way be construed as precluding or substituting for the mandate of the Commission;

(d) Each working document formally submitted to the Commission should include a summary, as well as a clear identification of any action required;

(e) Any recommendations of the working group should be made available to all Member States well in advance of the part of the sessions of the Commission held in the first half of the year, and should be considered by the Commission;

(f) A short and concise report on the implementation of resolutions should be submitted by the Secretariat to the Commission at the part of its sessions held in the first half of the year, for its consideration, through the working group, as appropriate.

Resolution 20/2

Implementation of the budget for the biennium 2010-2011 for the United Nations Crime Prevention and Criminal Justice Fund

The Commission on Crime Prevention and Criminal Justice,

Exercising the administrative and financial functions entrusted to it by the General Assembly in its resolution 61/252 of 22 December 2006,

Having considered the report of the Executive Director of the United Nations Office on Drugs and Crime on the implementation of the consolidated budget for the biennium 2010-2011 for the United Nations Office on Drugs and Crime,[52]

Recalling its resolution 18/6 of 3 December 2009,

1. *Notes* that the report of the Executive Director of the United Nations Office on Drugs and Crime on the implementation of the consolidated budget for the biennium 2010-2011 for the United Nations Office on Drugs and Crime[53] provides information on the adjustments to the consolidated budget;

2. *Approves* the revised projected use of general-purpose funds in the biennium 2010-2011, and invites Member States to provide contributions totalling at least 4,250,900 United States dollars;

3. *Endorses* the revised estimates for the programme support cost funds and special-purpose funds as indicated below;

[52] E/CN.7/2011/11-E/CN.15/2011/11.
[53] Ibid.

Resource projections for the United Nations Crime Prevention and Criminal Justice Fund

	Resources (thousands of United States dollars)		*Posts*	
	Approved budget, 2010-2011	*Revised budget, 2010-2011*	*Approved budget, 2010-2011*	*Revised budget, 2010-2011*
General-purpose funds				
Post	4 517.2	4 210.9	13	14
Non-post	–	40.0	–	–
Subtotal	**4 517.2**	**4 250.9**	**13**	**14**
Programme support cost funds				
Post	4 886.7	5 380.8	38	40
Non-post	2 199.2	2 830.7	–	–
Subtotal	**7 085.9**	**8 211.5**	**38**	**40**
Special-purpose funds	140 565.7	173 254.2	–	–
External executing agencies	293.4	402.1	–	–
Total	**152 462.2**	**186 118.7**	**51**	**54**

4. *Notes* that the estimated resource projections above are subject to the availability of funding.

Resolution 20/3

Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons

The Commission on Crime Prevention and Criminal Justice,

Noting with appreciation the adoption of the United Nations Global Plan of Action to Combat Trafficking in Persons by the General Assembly at its sixty-fourth session,[54] and underlining the importance of its full implementation,

Recalling General Assembly resolutions 61/180 of 20 December 2006, 63/194 of 18 December 2008 and 64/178 of 18 December 2009, all entitled "Improving the coordination of efforts against trafficking in persons", and other Assembly resolutions on trafficking in persons and other contemporary forms of slavery, in particular resolutions 63/156 of 18 December 2008, entitled "Trafficking in women and girls", and 64/137 of 18 December 2009, entitled "Intensification of efforts to eliminate all forms of violence against women",

Recalling also Economic and Social Council resolution 2008/33 of 25 July 2008, entitled "Strengthening coordination of the United Nations and other efforts in fighting trafficking in persons", and the previous resolutions of the Council on trafficking in persons, including resolution 2006/27 of 27 July 2006, entitled "Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking",

[54] Resolution 64/293.

Reaffirming its resolution 19/4 of 21 May 2010, entitled "Measures for achieving progress on the issue of trafficking in persons, pursuant to the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World", and recalling its resolutions 19/1 of 21 May 2010, entitled "Strengthening public-private partnerships to counter crime in all its forms and manifestations", and 19/2 of 21 May 2010, entitled "Strengthening the collection, analysis and reporting of comparable crime related data",

Reaffirming also the important role of the United Nations Convention against Transnational Organized Crime[55] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention,[56] and acknowledging that these are the principal legally binding global instruments to combat trafficking in persons,

Welcoming the work of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime aimed at enhancing the effectiveness of the implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and expressing its appreciation for the decision by the Conference that its Working Group on Trafficking in Persons should continue its work and hold at least one intersessional meeting prior to the sixth session of the Conference,

Welcoming also the steps taken by human rights treaty bodies and the Special Rapporteur of the Human Rights Council on trafficking in persons, especially women and children, the Special Rapporteur of the Council on violence against women, its causes and consequences, the Special Rapporteur on the sale of children, child prostitution and child pornography and the Special Rapporteur on contemporary forms of slavery, including its causes and its consequences, and by United Nations agencies and other concerned intergovernmental and governmental organizations, within their existing mandates, as well as by civil society, to address the serious crime of trafficking in persons, and encouraging them to continue to do so and to share their knowledge and best practices as widely as possible,

Expressing its strong condemnation of trafficking in persons, especially women and children, which constitutes an offence and a serious threat to human dignity and physical integrity, human rights and development,

Noting concerns about the possible links between trafficking in persons and other forms of transnational organized crime,

Expressing its serious concern at the increasing number of reported incidents of trafficking in persons for the purpose of organ removal, as noted in the report of the Secretary-General on preventing, combating and punishing trafficking in human organs,[57] which concluded that there was a lack of reliable data in that regard,

Aware of the fact that socio-economic factors such as poverty, underdevelopment and lack of equal opportunity provide fertile ground for

[55] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[56] Ibid., vol. 2237, No. 39574.
[57] E/CN.15/2006/10.

trafficking in persons, and reiterating that comprehensive crime prevention policies, together with social, economic, health, education, justice and human rights policies, must address the root causes of the crime of trafficking in persons,

Recognizing the need to promote, by harmonizing the efforts of Member States and relevant international organizations and institutions to implement the Global Plan of Action, the universal ratification and full implementation of the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention, as well as of other relevant international instruments that address trafficking in persons, and to reinforce the implementation of existing instruments against trafficking in persons,

Welcoming the launch of the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, which will operate as a subsidiary fund of the United Nations Crime Prevention and Criminal Justice Fund managed by the United Nations Office on Drugs and Crime, in accordance with paragraph 4 of General Assembly resolution 64/293, and acknowledging previous and ongoing contributions to other funding sources that support efforts to combat trafficking in persons,

Acknowledging the central role of the work of the United Nations Office on Drugs and Crime in the global fight against trafficking in persons and its role as coordinator of the Inter-Agency Coordination Group against Trafficking in Persons and the Global Initiative to Fight Human Trafficking,

Bearing in mind the need to strengthen the Inter-Agency Coordination Group against Trafficking in Persons under the coordination of the United Nations Office on Drugs and Crime in order to ensure overall coordination and coherence in the efforts of the United Nations system to respond to trafficking in persons, including through the implementation of the Global Plan of Action,

1. *Urges* Member States and invites the Conference of the Parties to the United Nations Convention against Transnational Organized Crime,[58] other United Nations bodies and agencies and other relevant international, regional and subregional organizations, within their respective mandates, to contribute to the full and effective implementation of the Global Plan of Action to Combat Trafficking in Persons,[59] including by means of strengthening cooperation and improving coordination among themselves in achieving that goal;

2. *Invites* Member States and other interested parties to make further voluntary contributions to the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children;

3. *Invites* Member States to address the issue of trafficking in persons, especially women and children, including through the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, with the aim of eliminating all forms of such trafficking, including trafficking for the purposes of organ removal and sexual exploitation of children;

[58] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[59] General Assembly resolution 64/293.

4. *Urges* Member States that have not yet done so to consider ratifying or acceding to, as a matter of priority, the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention;[60]

5. *Calls upon* Member States to address the demand that fuels trafficking in persons for all forms of exploitation with a view to eliminating such demand and, to that end, to enhance preventive measures, including legislative measures, to deter exploiters of trafficked persons and to ensure that they are held accountable;

6. *Invites* Member States to take all appropriate measures to monitor and regulate the practices of employment recruitment agencies in order to ensure that such agencies are not used to facilitate trafficking in persons;

7. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes in accordance with the rules and procedures of the United Nations;

8. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to take steps, as necessary, to strengthen the capacity of the United Nations Office on Drugs and Crime in the fight against trafficking in persons;

9. *Requests* the United Nations Office on Drugs and Crime to continue to promote public-private partnerships to counter trafficking in persons, especially women and children, including for the purpose of organ removal, and to consider this a priority area for such partnerships under the terms of paragraph 4 of Commission on Crime Prevention and Criminal Justice resolution 19/1;

10. *Also requests* the United Nations Office on Drugs and Crime to strengthen its capacity to collect and analyse information and to report biennially, starting in 2012, on patterns, forms and flows of trafficking in persons at all levels in a reliable and comprehensive manner, with a balanced perspective on both supply and demand, as a step towards, inter alia, improving the implementation of the Trafficking in Persons Protocol, in close cooperation and collaboration with Member States, and to share best practices and lessons learned from various initiatives and mechanisms;

11. *Further requests* the United Nations Office on Drugs and Crime to consider and follow up on the need to include information relating to the fight against trafficking in persons, especially women and children, in its programmes, as appropriate;

12. *Requests* the Secretary-General to report to the Commission at its twenty-first session on the implementation of the present resolution.

[60] United Nations, *Treaty Series*, vol. 2237, No. 39574.

Resolution 20/4

Promoting further cooperation in countering transnational organized crime

The Commission on Crime Prevention and Criminal Justice,

Recognizing that transnational organized crime has diversified globally and represents a threat to health and safety, security, good governance and the sustainable development of Member States,

Emphasizing that all States have a shared responsibility to take steps to counter the threat of transnational organized crime, including through international cooperation and in cooperation with relevant institutions such as the United Nations Office on Drugs and Crime,

Recalling General Assembly resolution 65/232 of 21 December 2010, entitled "Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity", in which the Assembly expressed its grave concern at the negative effects of transnational organized crime, including smuggling of and trafficking in human beings, narcotic drugs and small arms and light weapons, on development, peace and security and human rights, and at the increasing vulnerability of States to such crime,

Stressing the need for universal implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[61] and the United Nations Convention against Corruption,[62] as well as additional cooperation between Member States and private sector entities to counter transnational organized crime, as identified in various reports of the United Nations Office on Drugs and Crime,

Recalling the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,[63] adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, in which Member States recognized, inter alia, the increasing risk of the convergence of transnational organized crime and illicit networks, many of them new or evolving,

Recognizing the increasing need for effective international information-sharing, law enforcement cooperation and mutual legal assistance, in keeping with international commitments,

Deeply concerned over the ability of transnational organized criminal groups to facilitate the corruption of officials and infiltrate legitimate industries,

Recalling its resolution 19/1 of 21 May 2010, entitled "Strengthening public-private partnerships to counter crime in all its forms and manifestations", and recognizing the important role that private industry has to play, in accordance with national law and regulations, in assisting efforts to counter transnational organized crime,

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[61] Ibid., vols. 2225, 2237, 2241 and 2326, No. 39574.

[62] Ibid., vol. 2349, No. 42146.

[63] A/CONF.213/18, chap. I, resolution 1.

Recalling also its resolution 19/2 of 21 May 2010, entitled "Strengthening the collection, analysis and reporting of comparable crime-related data", in which it, inter alia, requested the United Nations Office on Drugs and Crime, in consultation with Member States, to strengthen the collection, analysis and reporting of accurate, reliable and comparable data on world crime trends and patterns and invited Member States to strengthen their efforts to review and improve data-collection tools in order to enhance knowledge on those trends and patterns,

Noting with appreciation the high-level meeting of the General Assembly on transnational organized crime and the special treaty event held in 2010 on the tenth anniversary of the adoption of the United Nations Convention against Transnational Organized Crime, as well as the high-level segment held during the fifth session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, and welcoming Conference resolution 5/1, entitled "Ensuring effective implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto",

Acknowledging the need for additional international cooperation and effective steps by Member States to limit criminals' mobility, particularly their ability to travel across international borders,

Considering the United Nations Millennium Declaration,[64] one of the goals of which is to intensify efforts to fight transnational crime in all its dimensions,

Aware of the importance of efforts to publicize the threat of transnational organized crime and the impact of such crime on communities, businesses and political institutions, and the essential role that professional media and journalists have to play in raising public awareness in this regard, and noting also the exceptional risks that many reporters are exposed to in the course of their duties in reporting on organized crime, including violent criminal reprisals,

1. *Reiterates* its call for those Member States that have not yet done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[65] and encourages States parties to fully implement those treaties;

2. *Welcomes* resolution 5/5 of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, in which the Conference decided to establish a working group to explore options for establishing a mechanism or mechanisms to assist the Conference in the review of the implementation of the Convention and the Protocols thereto, and urges Member States to continue to work in close cooperation in this regard;

3. *Requests* the United Nations Office on Drugs and Crime to continue to provide technical assistance, upon request, to facilitate the ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, including to the secretariat of the Conference of the Parties to the Convention and its Open-ended Interim Working Group of Government Experts on Technical Assistance;

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[64] General Assembly resolution 55/2.

[65] United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

4. *Invites* Member States, on the basis of the principle of shared responsibility, as well as relevant organizations, to provide additional voluntary resources to support such assistance, including in the form of building and promoting human resource capacity by means of specialized training, as well as relevant technical equipment and facilities;

5. *Notes* that the technical assistance funding mechanisms called for in article 30, paragraph 2 (c), of the United Nations Convention against Transnational Organized Crime and article 62, paragraph 2 (c), of the United Nations Convention against Corruption[66] have been established, and invites Member States to make voluntary contributions to those funding mechanisms;

6. *Requests* the United Nations Office on Drugs and Crime to continue to provide support to the Conference and its working groups, including the Working Group on Trafficking in Persons and the Working Group on the Smuggling of Migrants in their work related to the implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime;[67]

7. *Also requests* the United Nations Office on Drugs and Crime, in consultation with Member States and relevant regional and international organizations, to continue to develop global analyses of the threats and modalities of transnational organized crime, to study new forms and dimensions of transnational organized crime and to analyse new and emerging challenges, in order to support evidence-based policy guidance;

8. *Welcomes* the efforts of the United Nations Office on Drugs and Crime to promote cooperation and effective information-sharing between the public and private sectors in order to prevent and combat transnational organized crime, and urges Member States, as appropriate, to share their experiences regarding effective practices in that area;

9. *Encourages* Member States to take effective measures to promote public awareness regarding the existence, causes and gravity of and the threat posed by transnational organized crime, including, where appropriate, by disseminating information through the mass media, in accordance with article 31, paragraph 5, of the United Nations Convention against Transnational Organized Crime, and to support the efforts of those who report on organized crime, including media and journalists, including, where appropriate and within their domestic legal frameworks, measures to prevent criminal reprisals by organized crime;

10. *Invites* Member States, within the framework of their domestic legislation and international obligations, to consider such measures as they deem appropriate to restrict the international travel of members of organized criminal groups and to closely cooperate with each other by sharing best practices in this regard.

[66] Ibid., vol. 2349, No. 42146.

[67] Ibid., vols. 2237 and 2241, No. 39574.

Resolution 20/5

Combating the problem of transnational organized crime committed at sea

The Commission on Crime Prevention and Criminal Justice,

Taking note of General Assembly resolution 65/37 of 7 December 2010,

Recalling the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988[68] and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[69] which require States parties to cooperate to suppress, respectively, drug trafficking at sea and the smuggling of migrants by sea, as well as the United Nations Convention on the Law of the Sea,[70]

Recalling also that all actions taken by States to combat unlawful conduct at sea must be in accordance with their rights and obligations under international law, including the United Nations Convention on the Law of the Sea,

Concerned about the continuing problem of transnational organized crime committed at sea, including illicit traffic in narcotic drugs and psychotropic substances, the smuggling of migrants and trafficking in persons, and threats to maritime safety and security, including piracy, armed robbery at sea, smuggling and terrorist acts against shipping, offshore installations and other maritime interests, and noting the deplorable loss of life and adverse impact on international trade, energy security and the global economy resulting from such activities, as noted by the General Assembly in its resolution 64/71 of 4 December 2009,

Gravely concerned about, in particular, the growing threat posed by piracy and armed robbery at sea targeting vessels, including traditional fishing boats, off the coast of Somalia,

Concerned that transnational organized criminal activities at sea are diverse and may in some cases be interrelated and that criminal organizations are adaptive and take advantage of the vulnerabilities of States, in particular coastal and small island developing States in transit areas, and calling upon States and relevant intergovernmental organizations to increase cooperation and coordination at all levels to detect and suppress the smuggling of migrants and trafficking in persons, in accordance with international law, in accordance with General Assembly resolution 65/37,

Convinced that transnational organized crime at sea is a global problem that threatens security, stability and the rule of law, undermines economic prosperity and sustainable development and threatens the environment, making international cooperation to prevent and control it essential,

Emphasizing that all States, in particular the parties to the various relevant conventions, have a shared responsibility to take steps to counter the threat of transnational organized crime committed at sea, and the importance of enhancing

[68] Ibid., vol. 1582, No. 27627.
[69] Ibid., vol. 2241, No. 39574.
[70] Ibid., vol. 1833, No. 31363.

international cooperation at all levels to fight all forms of transnational organized crime at sea that fall within the scope of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[71] the United Nations Convention against Corruption,[72] the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,[73] the Convention on Psychotropic Substances of 1971,[74] the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 and the United Nations Convention on the Law of the Sea, as appropriate,

Welcoming the technical assistance provided by the United Nations Office on Drugs and Crime, within its mandate, upon request, to States with a view to preventing, combating and eradicating transnational organized crime at sea, in accordance with relevant international instruments, including the Convention against Transnational Organized Crime and its Protocols, and welcoming the cooperation of the United Nations Office on Drugs and Crime with relevant United Nations bodies, international organizations and other bodies,

Welcoming also the work jointly carried out by the United Nations Office on Drugs and Crime and the World Customs Organization under the global Container Control Programme and its impact on ensuring maritime safety and security in the containerized trade supply chain,

Noting the United Nations Office on Drugs and Crime research touching on transnational organized crime committed at sea,[75]

1. *Urges* States that have not yet done so to consider becoming parties to the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[76] the United Nations Convention against Corruption[77] and other relevant conventions and to take appropriate measures to ensure their effective implementation;

2. *Requests* the United Nations Office on Drugs and Crime to continue providing technical assistance to Member States, upon request, to facilitate the full implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, in order to more effectively combat transnational organized crime committed at sea;

3. *Encourages* the United Nations Office on Drugs and Crime to continue to provide Member States with technical assistance, upon request, in the areas of capacity-building in the criminal justice sector and the implementation of the relevant conventions for combating organized crime committed at sea, including maritime piracy, and requests the Office to continue to brief Member States on a regular basis on the implementation of its relevant programmes, including that for countering piracy;

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[71] Ibid., vols. 2225, 2237, 2241 and 2326, No. 39574.
[72] Ibid., vol. 2349, No. 42146.
[73] Ibid., vol. 976, No. 14152.
[74] Ibid., vol. 1019, No. 14956.
[75] See *Transnational Organized Crime in the Fishing Industry* (Vienna, 2011).
[76] United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.
[77] Ibid., vol. 2349, No. 42146.

4. *Also encourages* the United Nations Office on Drugs and Crime to continue providing Member States with technical assistance, upon request, in the areas of capacity-building in the criminal justice sector and the implementation of conventions relevant to countering maritime piracy off the coast of Somalia, and requests the Office to continue to brief Member States on a regular basis on the implementation of its counter-piracy programme;

5. *Urges* Member States to strengthen international cooperation at all levels in combating transnational organized crime committed at sea;

6. *Encourages* Member States to take appropriate measures, consistent with their domestic legislation and legal frameworks, to strengthen law enforcement, with a view to preventing, combating and eradicating transnational organized crime committed at sea, in accordance with their rights and obligations under international law, including the United Nations Convention on the Law of the Sea;[78]

7. *Encourages* the United Nations Office on Drugs and Crime, within its mandates, to cooperate with Member States, relevant United Nations bodies, international organizations and other bodies and mechanisms, where appropriate, with regard to sharing of information in its technical assistance activities related to transnational organized crime, in consideration of the challenges posed by transnational organized crime committed at sea;

8. *Invites* Member States to consider all relevant research conducted by the United Nations Office on Drugs and Crime touching on transnational organized crime committed at sea;

9. *Also invites* Member States to share their experiences and concerns with other Member States and the United Nations Office on Drugs and Crime on the possible gaps and vulnerabilities faced in tackling transnational organized criminal activities at sea, bearing in mind the relevant research conducted by the Office touching on transnational organized crime committed at sea;[79]

10. *Requests*, to that end, the United Nations Office on Drugs and Crime to convene an expert meeting with an advisory role towards the United Nations Office on Drugs and Crime, with due regard to proportional regional and geographic participation and focusing on the central authorities of Member States and their maritime and other law enforcement experts, to survey the significant and multifaceted challenges to the criminal justice system in the investigation and prosecution of cases arising from organized criminal activities at sea, within the mandates of the United Nations Office on Drugs and Crime, that are not already addressed in other forums or mechanisms, with a view to identifying specific areas where the Office and its resources may facilitate the investigation and prosecution of such cases by Member States, including by identifying gaps or possible areas for harmonization, and measures to strengthen national capacity, in particular in developing countries, to more effectively combat transnational organized crime;

11. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes in accordance with the rules and procedures of the United Nations;

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[78] Ibid., vol. 1833, No. 31363.

[79] *Transnational Organized Crime in the Fishing Industry* (Vienna, 2011).

12. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission on Crime Prevention and Criminal Justice at its twenty-second session on the implementation of the present resolution.

Resolution 20/6

Countering fraudulent medicines, in particular their trafficking

The Commission on Crime Prevention and Criminal Justice,

Stressing that, for the purposes of the present resolution and without prejudice to other accepted definitions or work in this area, "fraudulent medicines", usually referred to as "falsified medicines", include purported medicines whose contents are inert, are less than, more than or different from what is indicated, or have expired,

Expressing its concern regarding fraudulent medicines as a growing global issue that has severe consequences, both as a public health risk, with those affected suffering serious health consequences or even death, and in terms of a loss of confidence by the general public regarding the quality, safety and efficacy of pharmaceutical products and higher health-care costs,

Expressing its concern also over the risks posed to human health and safety by fraudulent medicines in all stages of the supply chain, in particular their trafficking, advertising and distribution,

Recalling that fraudulent medicines continue to be an important issue for the international community, as witnessed by the efforts of the World Health Organization and the International Criminal Police Organization in this area,

Noting with concern the involvement of organized criminal groups in all aspects of trafficking in fraudulent medicines, and underscoring in that regard the potential utility of the United Nations Convention against Transnational Organized Crime[80] in reinforcing international cooperation in the fight against trafficking in fraudulent medicines, including their illicit production and distribution, through, inter alia, mutual legal assistance, extradition and the recovery of the proceeds of crime,

Wishing to raise awareness among all States concerning the urgent need for the international community to act and to combat the threat posed by fraudulent medicines, and recognizing the importance of providing the most extensive international cooperation consistent with relevant international instruments and mechanisms, as well as national controls,

Noting that all stages of the fraudulent-medicine supply chain, in particular distribution and trafficking, require neither sophisticated infrastructure nor a high level of skill, and that as new methods for identifying fraudulent medicines are developed, criminals continually improve their methods of replicating packaging, holograms and other physical aspects, as well as the chemical composition, of their products,

Recognizing the need, where appropriate, to strengthen and fully implement mechanisms for tackling organized crime networks involved in all stages of the

[80] United Nations, *Treaty Series*, vol. 2225, No. 39574.

fraudulent-medicine supply chain, in particular distribution and trafficking, by enhancing criminal justice capacity,

1. *Urges* Member States and relevant international and regional institutions, as appropriate, to strengthen and fully implement measures and mechanisms to prevent trafficking in fraudulent medicines and to strengthen international cooperation, including through the United Nations Office on Drugs and Crime legal and operational technical assistance programmes, to increase the effectiveness of authorities in identifying and responding to trafficking in fraudulent medicines;

2. *Urges* Member States to prevent trafficking in fraudulent medicines by introducing legislation, as appropriate, covering, in particular, all offences related to fraudulent medicines, such as money-laundering, corruption and smuggling, as well as the confiscation and disposal of criminal assets, extradition and mutual legal assistance, to ensure that no stage in the supply chain of fraudulent medicines is overlooked;

3. *Invites* Member States to review their legal and regulatory frameworks in order to provide effective legislation and improved regulatory mechanisms, including by means of strengthening public-private partnerships that encompass manufacturers, importers, exporters, distributors and retailers, so as to significantly deter organized criminal networks that participate in trafficking in fraudulent medicines;

4. *Encourages* Member States to adopt measures enhancing cross-border cooperation, including exchange of information, joint investigations, special investigative techniques and enforcement at the national, regional and international levels, and to promote the cooperation of national law enforcement agencies aimed at curbing trafficking in fraudulent medicines, in particular by promoting existing tools and considering new tools;

5. *Invites* Member States to make strong efforts to publicize at the national level the detrimental health, social and economic consequences of purchasing medicines that may be fraudulent, and to highlight the risk of using medicines from the illicit market in order not to create a loss of public confidence in the quality, safety and efficacy of medicines in the pharmaceutical trade;

6. *Invites* the United Nations Office on Drugs and Crime, in consultation with Member States and in cooperation with other competent international organizations, to continue to conduct research on the modalities of transnational organized crime, including its involvement in the issue of fraudulent medicines, so as to provide a better framework of knowledge for effectively preparing evidence-based responses to this illicit trade;

7. *Encourages* the United Nations Office on Drugs and Crime, in consultation with Member States, to identify key Member States in the most affected regions and to provide corresponding technical assistance to such Member States, upon request;

8. *Requests* the United Nations Office on Drugs and Crime, in accordance with its mandate and in close cooperation with other United Nations bodies and international organizations, such as the International Narcotics Control Board, the World Health Organization, the World Customs Organization and the International Criminal Police Organization, as well as relevant regional organizations and

mechanisms, national agencies that regulate medicines and, where appropriate, the private sector, civil society organizations and professional associations, to assist Member States in building capacity to disrupt and dismantle the organized criminal networks engaged in all stages of the illicit supply chain, in particular distribution and trafficking, to better utilize the experiences, technical expertise and resources of each organization and to create synergies with interested partners, and invites Member States and other donors to provide extrabudgetary contributions for the relevant provisions of the present resolution, in accordance with the rules and procedures of the United Nations;

9. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission on Crime Prevention and Criminal Justice at its twenty-second session on the implementation of the present resolution.

Resolution 20/7

Promotion of activities relating to combating cybercrime, including technical assistance and capacity-building

The Commission on Crime Prevention and Criminal Justice,

Recalling General Assembly resolutions 55/59 of 4 December 2000, 55/63 of 4 December 2000, 56/121 of 19 December 2001, 63/195 of 18 December 2008, 64/179 of 18 December 2009 and 65/232 of 21 December 2010,

Recalling also Economic and Social Council resolution 2009/22 of 30 July 2009, as well as Council resolutions 2007/12 of 25 July 2007 and 2007/19 of 26 July 2007, on the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime,

Bearing in mind that the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,[81] adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, noted that the development of information and communications technologies and the increasing use of the Internet created new opportunities for offenders and facilitated the growth of crime,

Conscious of the challenges faced by States, in particular developing countries, in combating cybercrime, and emphasizing the need to reinforce technical assistance and capacity-building activities for the prevention, prosecution and punishment of the use of information technologies for criminal purposes,

Acknowledging the importance of stepping up international cooperation in order to facilitate the prevention, investigation, prosecution and punishment of cybercrime, including through the provision of technical assistance for the adoption and improvement of national legislation,

Welcoming General Assembly resolution 65/230 of 21 December 2010, on the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, and noting that in the Salvador Declaration Member States recommended that the United Nations Office on Drugs and Crime should, upon request, in cooperation with

[81] A/CONF.213/18, chap. I, resolution 1.

Member States, relevant international organizations and the private sector, provide technical assistance and training to States to improve national legislation and build the capacity of national authorities, in order to deal with cybercrime, including the prevention, detection, investigation and prosecution of such crime in all its forms, and to enhance the security of computer networks,

Highlighting the utility of the United Nations Convention against Transnational Organized Crime[82] in strengthening international cooperation on the prevention, investigation and prosecution of cybercrime in cases where the offence is transnational in nature and involves an organized criminal group,

Recalling that the fight against the criminal misuse of information technologies requires the development of solutions that take into account both the protection of individual freedoms and privacy and the preservation of the capacity of Governments to fight such criminal misuse,

Recognizing the role of the United Nations Office on Drugs and Crime in the provision of technical assistance through its thematic and regional programmes, and recalling that, in the development and implementation of its technical assistance programmes, it should aim for sustainable and long-lasting results in the prevention, prosecution and punishment of crime, in particular by building, modernizing and strengthening criminal justice systems, as well as promoting the rule of law, and should design such programmes to achieve those aims for all components of the criminal justice system, in an integrated way and with a long-term perspective, thereby increasing the capacity of requesting States to prevent and suppress the various types of crime affecting societies, including organized crime and cybercrime,

1. *Requests* the United Nations Office on Drugs and Crime, in cooperation with Member States, relevant international and regional organizations and, as appropriate, the private sector, to continue to provide, upon request, technical assistance and training to States, based on national needs, especially with regard to the prevention, detection, investigation and prosecution of cybercrime in all its forms, without prejudice to the work and outcomes of the meetings of the open-ended intergovernmental expert group on the comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector;

2. *Takes note* of the outcome of the first session of the expert group on the comprehensive study of the problem of cybercrime;[83]

3. *Invites* the expert group on the comprehensive study of the problem of cybercrime to finalize the report on the deliberations of its first session, requests the Secretariat to disseminate it to Member States in all official languages, and also requests the Secretariat to continue providing support for the meetings of the expert group;

4. *Requests* the United Nations Office on Drugs and Crime to strengthen cooperation with Member States, relevant organizations, such as the International Criminal Police Organization, the European Police Office, the International

[82] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[83] See E/CN.15/2011/19.

Telecommunication Union, the European Commission, the Council of Europe, the Shanghai Cooperation Organization and the Commonwealth of Independent States, as well as with the private sector, including computer companies and Internet service providers, on combating cybercrime;

5. *Invites* Member States to continue exchanging views on ways and means for better targeting technical assistance, especially in the light of the challenges they may face for purposes of international cooperation, and invites the expert group on the comprehensive study of the problem of cybercrime to consider those exchanges in its work, as and when appropriate;

6. *Invites* Member States and other donors to provide extrabudgetary resources, where necessary and in accordance with the rules and procedures of the United Nations, for the implementation of the relevant paragraphs of the present resolution;

7. *Requests* the Secretary-General to prepare and submit a report to the Commission on Crime Prevention and Criminal Justice at its twenty-second session on the implementation of the present resolution.

Decision 20/1

Organization of work for the future sessions of the Commission on Crime Prevention and Criminal Justice

At its 10th meeting, on 15 April 2011, the Commission on Crime Prevention and Criminal Justice, bearing in mind the discussions of the Commission at its twentieth session on how to improve its methods of work:

(a) Decided that for the future sessions of the Commission, starting with its twenty-first session, on an experimental basis, the firm deadline for the submission of draft resolutions to be considered at the part of the session held in the first half of the year would be one month prior to the commencement of that part of the session;

(b) Encouraged Member States to take advantage of the one-month deadline to consider, where appropriate, merging draft resolutions or reducing their length, with a view to enabling the Commission to address a reasonable number of draft resolutions and to increase the efficiency of its work;

(c) Decided that the Secretariat should make the necessary arrangements for the adequate implementation of paragraph (a) above, in particular by ensuring that the draft resolutions are made available in all six official languages of the United Nations at least three weeks before the start of the part of the session of the Commission held in the first half of the year.

Chapter II

Strategic management, budgetary and administrative questions

5. At its 1st, 2nd and 5th meetings, on 11 and 13 April 2011, the Commission on Crime Prevention and Criminal Justice considered agenda item 3, which read as follows:

"Strategic management, budgetary and administrative questions:

"(a) Work of the working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime;

"(b) Directives on policy and budgetary issues for the United Nations crime prevention and criminal justice programme."

6. For its consideration of agenda item 3, the Commission had before it the following:

(a) Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2011/3-E/CN.15/2011/3);

(b) Report of the Executive Director on support for the development and implementation of the regional programmes of the United Nations Office on Drugs and Crime (E/CN.7/2011/6-E/CN.15/2011/6);

(c) Note by the Secretariat on the work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime (E/CN.7/2011/9-E/CN.15/2011/9);

(d) Report of the Executive Director on the implementation of the consolidated budget for the biennium 2010-2011 for the United Nations Office on Drugs and Crime (E/CN.7/2011/11-E/CN.15/2011/11).

7. An introductory statement was made by the Executive Director. A representative of the Secretariat also made a statement. Statements were made by the representatives of the United States of America, Argentina, Canada, Japan, Chile, Iran (Islamic Republic of), China, the United Kingdom of Great Britain and Northern Ireland, Mexico, Brazil and Germany. Statements were also made by the observers for Indonesia, Lebanon (on behalf of the Group of 77 and China), Sweden, Guatemala, Norway, Israel, France and Spain. The observer for Palestine made a statement. A closing statement was made by the Chair.

A. Deliberations

8. The move by the Office from a project-based to an integrated programme-based approach was regarded as a positive development that could contribute to improving its funding situation. The regional programmatic approach was seen as a tool to ensure ownership by the countries concerned through thorough consultations during the development and implementation of those programmes.

9. The need for UNODC to secure stable, predictable and adequate resources through a widening of the donor base, an increase of the regular budget, an increased share of general-purpose funds and additional extrabudgetary and "soft" earmarked voluntary contributions was stressed. The establishment of partnerships with the private sector was also advocated. Some of those options were considered less likely, given budgetary constraints at the United Nations and within Member States. It was stated that the budgetary challenges facing UNODC were also due to the increase of mandates given to the Office by Member States without the corresponding financial resources.

10. The standing open-ended intergovernmental working group on improving the governance and financial situation of UNODC was acknowledged as a valuable instrument for facilitating dialogue among Member States and between Member States and the Secretariat, particularly as regards the development and implementation of the thematic and regional programmes of UNODC, among other issues. It was noted that the working group needed to progress from the deliberative stage to the stage of being in a position to transmit recommendations for action by the Commission and that, in that regard, results had been less than satisfactory.

11. The need to involve Member States and the Independent Evaluation Unit in the development of a medium-term strategy for the Office for the period 2012-2015, to be presented to the Commission at its reconvened session in 2011, was highlighted.

12. With reference to the report of the Joint Inspection Unit on the review of management and administration in the United Nations Office on Drugs and Crime (JIU/REP/2010/10), it was stated that the recommendations contained in that report should be followed up and acted on, including by the standing open-ended intergovernmental working group on improving the governance and financial situation of UNODC, for consideration by the Commission at its reconvened session in 2011. The issues of gender balance and geographic diversity in the recruitment of staff were also discussed.

13. In response to remarks by the Executive Director, the view was expressed that UNODC should be both a normative and an analytical agency, and that it should be an agency for the provision of technical assistance to Member States, particularly as regards the implementation of the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption, as well as standards and norms and their further development. The development of normative and analytical knowledge served as the basis for the provision of technical assistance. Some noted that the technical cooperation work of the Office could justify its evolution towards becoming a specialized agency, as well as the rationalization of its funding system; others found that idea premature. The proposal for informal meetings among like-minded delegations or other means for exchanging ideas and proposals in informal settings was generally welcomed.

14. The role of the Commission as the governing body of UNODC for budgetary, administrative and management matters was also discussed, as was the question of whether that was the appropriate role for a functional commission. The fact that its functions were and should be primarily normative was noted. The similar role played by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, the Conference of the States Parties to the United Nations Convention against Corruption and the crime congresses was also

discussed. All of those bodies acted as governing bodies, providing UNODC with growing mandates without the necessary resources to implement them, and their instructions could sometimes be conflicting.

15. The merging of the two Commissions was not considered viable in view of their different constituencies. It was suggested that the proposal of holding joint reconvened sessions for the consideration of budgetary, administrative and management questions, as suggested in the report of the Joint Inspection Unit, could be given consideration for a trial period.

16. Regarding options for improving the methods of work of the Commission, the importance of submitting draft resolutions and decisions no later than one month before the part of each session held in the first half of the year was emphasized, and ideas in that regard were put forward. It was stated that meeting such a deadline would facilitate preparations by Member States and the work of the Commission. The idea of opening that part of the session of the Commission for one day for the submission of draft resolutions, followed by a two-week break so that Member States would have time to consult with their capitals and consider the substantive aspects of the texts, was generally welcomed and seen as meriting further discussion.

17. It was generally noted that the amount of time between the part of the session of the Commission on Narcotic Drugs and the part of the session of the Commission on Crime Prevention and Criminal Justice held in the first half of the year should be longer than had been the case in 2011. It was also suggested that consideration should be given to the possibility of each Commission holding a session every other year, with the two Commissions alternating years.

18. It was suggested that the Commission should not change its working methods without first considering the impact that such changes might have on its work. It was noted that proposed changes for compiling the reports on the sessions of the Commission, in particular reducing or removing summaries of substantive deliberations, needed further exploration. It was also suggested that procedural elements of the report, including financial information, could be presented differently.

19. It was also suggested that documents before the Commission could be streamlined by including more cross-references to other documents, a matter that would require further consideration.

20. UNODC was requested to pay due regard to geographical distribution and gender balance in the recruitment of staff and to keep the relevant recruitment policies in mind during the realignment process.

B. Action taken by the Commission

21. At its fifth meeting, on 13 April 2011, the Commission approved and recommended for adoption by the Economic and Social Council a draft decision (E/CN.15/2011/L.2) introduced by Sweden and the United States on the recommendation of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime, pursuant to Commission on Crime Prevention and Criminal

Justice resolution 18/3. (For the text, see chap. I, sect. C, draft decision II.) Prior to the adoption of the draft decision, a representative of the Secretariat read out a statement on the financial implications of its adoption. (For the text, see E/CN.15/2011/CRP.7, available on the UNODC website.) Also prior to the adoption of the draft decision, the representative of the United States made a statement indicating that both of the sponsors of draft decision E/CN.15/2011/L.2 and of draft resolution E/CN.15/2011/L.3 (see para. 22 below) would have preferred that the two documents had first been sent to the Committee of the Whole for its consideration and that, while there was no objection to the procedure followed, it should not be seen as setting a precedent.

22. At the same meeting, the Commission adopted a draft resolution (E/CN.15/2011/L.3) sponsored by Norway, Sweden, Switzerland and the United States. (For the text, see chap. I, sect. D, resolution 20/1.) Prior to the adoption of the draft resolution, a representative of the Secretariat read out a statement on the financial implications of its adoption. (For the text, see E/CN.15/2011/CRP.7, available on the UNODC website.) Following the adoption of the resolution, the representative of the United Kingdom made a statement noting that her Government interpreted the concept of "sufficient share of the regular budget" in operative paragraph 12 of the resolution as being consistent with the need for further streamlining and rationalization within the Secretariat and other United Nations entities.

23. At the same meeting, the Commission adopted a draft resolution entitled "Implementation of the budget for the biennium 2010-2011 for the United Nations Crime Prevention and Criminal Justice Fund" (E/CN.7/2011/11-E/CN.15/2011/11, annex IV). (For the text, see chap. I, sect. D, resolution 20/2.)

24. At its 10th meeting, on 15 April, the Commission approved and recommended for adoption by the Economic and Social Council a draft resolution (E/CN.15/2011/L.9), as revised, sponsored by Colombia (on behalf of the Group of Latin American and Caribbean States), Indonesia (on behalf of the Group of 77 and China), Sweden and the United States. (For the text, see chap. I, sect. B, draft resolution II.)

Chapter III

Thematic discussion on protecting children in a digital age: the misuse of technology in the abuse and exploitation of children

25. At its 3rd, 4th and 5th meetings, on 12 and 13 April 2011, the Commission considered agenda item 4, which read as follows:

> "Thematic discussion on protecting children in a digital age: the misuse of technology in the abuse and exploitation of children:
>
> "(a) Nature and scope of the problem of misuse of new technologies in the abuse and exploitation of children;
>
> "(b) Responses to the problem of misuse of new technologies in the abuse and exploitation of children."

26. For its consideration of item 4, the Commission had before it the following:

(a) Note by the Secretariat containing a discussion guide for the thematic discussion on protecting children in a digital age: the misuse of technology in the abuse and exploitation of children (E/CN.15/2011/2);

(b) Note by the Secretariat on world crime trends and emerging issues and responses in the field of crime prevention and criminal justice (E/CN.15/2011/10).

27. With the Chair presiding, the thematic discussion under item 4 was led by the following panellists: Dorcas Oduor (Kenya), Hainah Ellydar (Indonesia), Gyorgy Virag (Hungary), and Sergio Staro (Italy), who spoke on sub-item (a); and Mohamed Moheb (Egypt), Naras Savestanan (Thailand), Juan Carlos Guel López (Mexico), Sylvia Poll Ahrens (Costa Rica), Paula Silva (Portugal) and Gabrielle Shaw (United Kingdom), who spoke on sub-item (b).

28. The Chair made an introductory statement. An introductory statement was also made by the Secretariat. Statements were made by the representatives of India, Saudi Arabia, the Russian Federation, the United Kingdom, Thailand, Mexico, Algeria, Chile, the Philippines, Austria, Romania, Argentina, Cuba, Japan, Canada, China and the United States. Statements were also made by the observers for Sri Lanka, Ecuador, Croatia, France, Estonia, Morocco, Colombia, Switzerland, Israel and Norway. The observer for Palestine made a statement. Statements were also made by the observers for the United Nations Children's Fund (UNICEF), the Council of Europe, the International Telecommunication Union (ITU), the Korean Institute of Criminology, the League of Arab States, the International Sociological Association and the World Society of Victimology.

A. Summary by the Chair

29. At the end of the thematic discussion, the Chair summarized the salient points as follows.

30. The use of the Internet and other information and communications technologies has increased exponentially at the global level in the past two decades.

Children who have access to those technologies benefit from them, but at the same time are exposed to serious risks. States should consider it a matter of priority to develop safeguards to protect them.

31. The importance of international and regional legal instruments, such as the United Nations Convention against Transnational Organized Crime, as well as the legal instruments developed by the Council of Europe, was highlighted.

32. States should devise effective national measures for the prevention, investigation and prosecution of cybercrime offences, in particular in the area of child abuse and exploitation, and for the improvement of international cooperation. Furthermore, States should take measures to protect victims of such abuse and exploitation.

33. There was a need for data collection and analysis and for the sharing of such data among States.

34. National initiatives, including preventive measures, educational programmes, awareness-raising campaigns, the establishment of hotlines, the adoption of legislation, law enforcement efforts and capacity-building activities for law enforcement and criminal justice officials, as well as the provision of psychological counselling and rehabilitation services to victims, were discussed.

35. The need to address technical challenges posed by the misuse of technology in the abuse and exploitation of children was also noted, as was the need to devote more resources to the development of technical solutions in order to prevent access by children to harmful online content, to alert parents or authorities to suspicious activities and to facilitate investigative efforts by law enforcement authorities.

36. Cooperation and partnerships between national authorities and the private sector, including Internet service providers, were essential in the identification of technical and investigative solutions to the misuse of information and communications technologies.

37. The need for technical and capacity-building assistance programmes was raised.

38. The role of the Commission in further developing standards, norms and guidelines was stressed.

B. Workshop on law enforcement cooperation in combating child pornography cases

39. A workshop on the theme "Concrete examples of law enforcement cooperation in combating child pornography cases" was organized by the institutes of the United Nations crime prevention and criminal justice programme network. The workshop was chaired by the First Vice-Chair of the Commission and moderated by the Scientific Coordinator of the International Scientific and Professional Advisory Council, which is a member of the United Nations crime prevention and criminal justice programme network.

40. Presentations were made by panellists from the Helsinki Police Department (Finland), Public Safety Canada (Canada), the University of Cologne (Germany) and the Queensland Police Service (Australia). During the open discussion,

statements were made by the representatives of Saudi Arabia, India, Thailand, Algeria and the United Kingdom and the observers for France and Ecuador. Statements were also made by the observers for the European Institute for Crime Prevention and Control, affiliated with the United Nations, and the Friends World Committee for Consultation. Representatives of the Secretariat and the United Nations Interregional Crime and Justice Research Institute made closing statements.

Chapter IV

Integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice

41. At its 5th, 6th and 7th meetings, on 13 and 14 April 2011, the Commission on Crime Prevention and Criminal Justice considered agenda item 5, which read as follows:

> "Integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice:
>
> "(a) Ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto;
>
> "(b) Ratification and implementation of the United Nations Convention against Corruption;
>
> "(c) Ratification and implementation of the international instruments to prevent and combat terrorism;
>
> "(d) Other crime prevention and criminal justice matters;
>
> "(e) Other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies."

42. For its consideration of agenda item 5, the Commission had before it the following:

(a) Report of the Secretary-General on assistance in implementing the universal conventions and protocols related to terrorism (E/CN.15/2011/4);

(b) Report of the Secretary-General on international cooperation in combating transnational organized crime and corruption (E/CN.15/2011/5);

(c) Report of the Secretary-General on the activities of the institutes of the United Nations crime prevention and criminal justice programme network (E/CN.15/2011/7);

(d) Report of the Secretary-General on strengthening the rule of law through improved integrity and capacity of prosecution services (E/CN.15/2011/8);

(e) Report of the Executive Director on countering maritime piracy off the coast of Somalia (E/CN.15/2011/18);

(f) Report on major activities of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/2011/CRP.1);

(g) Step-by-step guide to requesting mutual legal assistance in criminal matters from Group of Eight countries (E/CN.15/2011/CRP.6).

43. Introductory statements were made by the Officer-in-Charge of the Division for Treaty Affairs and other representatives of the Secretariat. A statement was also made by the observer for Hungary (on behalf of the Presidency and member States of the European Union, as well as Albania, Andorra, Armenia, Bosnia and Herzegovina, Croatia, Georgia, Iceland, Liechtenstein, Montenegro, Norway, the Republic of Moldova, San Marino, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine) and by the representatives of the Republic of Korea, Belarus, Japan, the Philippines, the United Kingdom, Romania, Canada, the United States, Mexico, Austria, Thailand, China, the Sudan, Algeria, the Russian Federation, Cuba and Nigeria. The observers for Croatia, Italy, Norway, Indonesia, the United Arab Emirates, Colombia, Morocco, Kazakhstan, Israel, Indonesia, Venezuela (Bolivarian Republic of), South Africa, Yemen and France also made statements. The observer for Palestine made a statement. Statements were also made by the observers for the United Nations Interregional Crime and Justice Research Institute (on behalf of the institutes of the United Nations crime prevention and criminal justice programme network), the Sovereign Military Order of Malta, the League of Arab States and the Friends World Committee for Consultation.

A. Deliberations

1. Ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto

Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime

44. Discussions under agenda item 5 (a) covered the following topics: ratification and implementation of the Organized Crime Convention and the Protocols thereto; the need for a mechanism to review the implementation of the Convention and the Protocols; national initiatives in the areas of trafficking in persons, trafficking in natural resources, crimes affecting marine living resources and trafficking in cultural property; and using the Convention as a basis for international cooperation.

45. Emphasis was placed on the need for universal ratification of the Convention and the Protocols and their full implementation. Application of the Convention to new and emerging forms of transnational organized crime, in particular to trafficking in cultural property whenever there was involvement of organized criminal groups, was highlighted.

46. Reference was made to the pilot programme that had been developed within the framework of the recommendations of the Open-ended Intergovernmental Meeting of Experts on Possible Mechanisms to Review Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto. It was emphasized that such a programme could assist the relevant working group, which would hold its first meeting in Vienna from 17 to 19 May 2011. It was stated that full implementation would be achieved only through an effective mechanism to review implementation of the Convention and the Protocols, and it was emphasized that any review mechanism adopted should be transparent and inclusive.

47. Attention was drawn to the fact that transnational organized crime undermined development, political stability and legitimate economic activity. Raising awareness of the potential of the Convention with regard to facilitating international cooperation needed to be mainstreamed within criminal justice systems.

2. Ratification and implementation of the United Nations Convention against Corruption

Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the United Nations Convention against Corruption

48. The United Nations Convention against Corruption was recognized as the global standard in anti-corruption, and speakers welcomed the increase in the number of States parties and called for its full implementation.

49. The operationalization of the mechanism to review implementation of the Convention was welcomed, and several speakers reported on their countries' participation in the reviews. The need to provide strong support for the mechanism and the work of the Implementation Review Group was stressed, as was the need for States parties to work towards funding future requirements through the regular budget.

50. The recommendations and conclusions of the established working groups of the Conference of the States Parties to the Convention were welcomed. In particular, the Secretariat was asked to continue its information-gathering exercise on good practices in the implementation of chapter II of the Convention.

51. Several speakers welcomed the fact that the International Anti-Corruption Academy had become an international organization, and acknowledged the significant role it could play in effectively promoting implementation of the Convention.

52. Reference was made to the valuable work of the Group of 20 anti-corruption working group, in which UNODC was a participant, and the contribution of its action plan towards full implementation of the Convention.

53. Speakers reported on their Governments' efforts to implement the Convention through the adoption or amendment of legislation to bring domestic legal frameworks in line with the Convention. The creation and strengthening of specialized institutions involved in the fight against corruption, as well as awareness-raising and education campaigns, were emphasized, as was the importance of involving civil society and the private sector.

3. Ratification and implementation of the international instruments to prevent and combat terrorism

Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the international instruments to prevent and combat terrorism

54. The role of the United Nations in coordinating multilateral efforts to counter terrorism was highlighted as being essential to maximize synergies, avoid duplication and ensure a holistic approach in line with the United Nations Global

Counter-Terrorism Strategy. The need for strengthened partnerships and cooperation with all relevant actors, including United Nations entities (the Counter-Terrorism Executive Directorate and the Counter-Terrorism Implementation Task Force) and international, regional and subregional organizations was emphasized. The importance of a criminal justice response based on the international legal instruments against terrorism and respect for the rule of law and for human rights was emphasized, as well as the importance of international and regional cooperation in criminal matters and action at the national and regional levels to counter terrorism.

55. Support was expressed for the work of the Terrorism Prevention Branch of UNODC to assist requesting States through the provision of technical assistance for the ratification and implementation of the international legal instruments against terrorism. The need for continued tailor-made capacity-building for criminal justice officials was cited, as well as the need for the development of thematic training workshops and tools. Adequate financial resources were considered necessary to implement the relevant UNODC mandates.

56. Reference was made to the Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation and its supplementary Protocol, both adopted at Beijing on 10 September 2010, and their contribution to civil aviation security, and to the symposium on countering terrorism, hosted by UNODC on 16 and 17 March 2011, addressing connections between terrorism and related criminal activities.

57. Other issues raised included money-laundering, financing of terrorism, hostage-taking, financial intelligence units, cybercrime, the definition of terrorism and self-determination.

4. Other crime prevention and criminal justice matters

58. Several speakers referred to the problem of piracy off the coast of Somalia and highlighted the commitment of their Governments to combating that serious threat in a comprehensive manner. The work of UNODC in supporting counter-piracy efforts, particularly relating to the prosecution of suspected pirates, was welcomed, as well as its efforts in assisting countries in enhancing the capacity of their prosecution services and judiciary with regard to the task of ensuring the legality of proceedings and respect for human rights. It was noted that the conduct of prosecutors should be governed by an ethical code, and reference was made to the Standards of Professional Responsibility and Statement of the Essential Duties and Rights of Prosecutors, developed by the International Association of Prosecutors, which had been acknowledged by the Commission in its resolution 17/2 of 18 April 2008.

59. The continuing work of UNODC on the Criminal Justice Handbook Series and other practical tools to assist policymakers and professionals in fighting crime was also referred to.

5. Other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies

60. Appreciation was expressed for the work of the institutes of the United Nations crime prevention and criminal justice programme network. It was noted that UNODC and the institutes should maintain a dialogue to avoid duplication of efforts.

B. Action taken by the Commission

61. At its 9th meeting, on 15 April, the Commission adopted a revised draft resolution (E/CN.15/2011/L.13/Rev.1), as further revised, sponsored by Belarus, Bolivia (Plurinational State of), Ecuador, El Salvador, Guatemala, Indonesia, Kazakhstan, Kyrgyzstan, Lebanon, Nicaragua, Nigeria, Norway, the Philippines, Qatar, the Republic of Korea, the Russian Federation, Tajikistan, Thailand, Turkey, Ukraine and Venezuela (Bolivarian Republic of). (For the text, see chap. I, sect. D, resolution 20/3.) Prior to the adoption of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2011/CRP.7, available on the UNODC website.)

62. At its 10th meeting, the Commission considered a revised draft resolution to be recommended for approval by the Economic and Social Council for adoption by the General Assembly (E/CN.15/2011/L.6/Rev.1), as further revised, sponsored by Albania, Algeria, Australia, Canada, Colombia, Costa Rica, El Salvador, Hungary (on behalf of the European Union), Japan, Liechtenstein, Mexico, Nigeria, the Philippines, the Russian Federation, Serbia and Turkey. (For the text, see chap. I, sect. A, draft resolution II.) Prior to the adoption of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2011/CRP.7.)

63. At the same meeting, the Commission adopted a revised draft resolution (E/CN.15/2011/L.14/Rev.1) sponsored by Australia, Canada, El Salvador, Guatemala, Israel, Italy, Mexico and the United States. (For the text, see chap. I, sect. D, resolution 20/4.) Prior to the adoption of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2011/CRP.7, available on the UNODC website.) Following adoption, the representative of China stated that, while his delegation had engaged in the negotiation of the draft resolution, it was of the view that the Conference of the Parties to the United Nations Convention against Transnational Organized Crime was the appropriate body for the adoption of the draft resolution.

64. Also at the same meeting, the Commission adopted a revised draft resolution (E/CN.15/2011/L.15/Rev.1), as further revised, sponsored by Chile, Costa Rica, Guatemala, Indonesia, Kuwait, Norway and the Philippines. (For the text, see chap. I, sect. D, resolution 20/5.) Prior to the adoption of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2011/CRP.7, available on the UNODC website.) Following adoption, the representative of Turkey and the observers for Venezuela (Bolivarian Republic of), Colombia and Peru stated that they were not parties to the

United Nations Convention on the Law of the Sea and that the reference to that Convention in the resolution thus did not create any additional obligations for their Governments.

Chapter V

World crime trends and emerging issues and responses in the field of crime prevention and criminal justice

65. At its 7th and 8th meetings, on 14 April 2011, the Commission considered agenda item 6, entitled "World crime trends and emerging issues and responses in the field of crime prevention and criminal justice".

66. For its consideration of item 6, the Commission had before it the following:

(a) Report of the Secretary-General on international cooperation in the prevention, investigation, prosecution and punishment of economic fraud and identity-related crime (E/CN.15/2011/16);

(b) Report of the Secretary-General on improving the collection, reporting and analysis of data to enhance knowledge on trends in specific areas of crime (E/CN.15/2011/17);

(c) Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2011/3-E/CN.15/2011/3);

(d) Note by the Secretariat on world crime trends and emerging issues and responses in the field of crime prevention and criminal justice (E/CN.15/2011/10);

(e) Note by the Secretariat on civilian private security services: their oversight and their role in and contribution to crime prevention and community safety (E/CN.15/2011/14);

(f) Note by the Secretariat containing the report of the open-ended intergovernmental expert group on the comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector (E/CN.15/2011/19);

(g) Report on the outcome of the planning meeting held in Abu Dhabi on 10 and 11 May 2010 for an expert group to study the role of civilian private security services, their oversight and their contribution to crime prevention and community safety (E/CN.15/2011/CRP.2);

(h) Report on the meeting of the core group of experts on identity-related crime, held in Vienna from 6 to 8 December 2010 (E/CN.15/2011/CRP.3);

(i) Updates to the report of the United Nations Interregional Crime and Justice Research Institute entitled *Counterfeiting: a Global Spread, a Global Threat* (E/CN.15/2011/CRP.4).

67. Introductory statements were made by the Officer-in-Charge of the Division for Treaty Affairs and Chief of the Organized Crime and Illicit Trafficking Branch and by another representative of the Secretariat. Introductory statements were also made by the observer for South Africa in his capacity as chair of the open-ended intergovernmental working group to conduct a comprehensive study on the problem of cybercrime, and by the representative of the United Nations Interregional Crime and Justice Research Institute, pursuant to Commission decision 19/1. The Commission heard statements by the representatives of Canada, the United States, Germany, Mexico, Argentina and Iran (Islamic Republic of). Statements were also

made by the observers for Italy, South Africa, Venezuela (Bolivarian Republic of), the United Arab Emirates, Colombia and Zimbabwe.

A. Deliberations

68. The efforts of the Secretariat to collect comparable information on crime and criminal justice statistics and to offer related technical support to Member States were welcomed. Official administrative statistics and data from crime victimization surveys offered important complementary information on the nature and extent of crime. Recent efforts to improve the United Nations Survey of Crime Trends and Operations of Criminal Justice Systems, in line with the recommendations of the open-ended intergovernmental expert working group established by Economic and Social Council resolution 2009/25, were also noted.

69. It was noted that the Commission represented a key forum for the identification of new forms of crime with a view to developing effective policies. It was observed that there was a need to further develop information and data on new, emerging and evolving forms of crime, including cybercrime, maritime piracy, economic fraud, illicit mining of and trafficking in precious metals, identity-related crime, transnational organized crime at sea, including smuggling of migrants, trafficking in persons, and, in the view of some delegations, crime within the fishing industry, environmental crime and the counterfeiting of products. Longitudinal assessments of specific types of crime were highlighted as important, and the initiative of UNODC to collect and analyse high-frequency data on crime and underlying economic and development-related factors was welcomed. Member States were urged to report information on crime trends to UNODC in a timely manner and on an ongoing basis. It was stated that, in preparing reports, the Secretariat should utilize data obtained from authorized sources of Member States, consulting them where appropriate, in order to avoid the presentation of inaccurate information.

70. Concern was expressed about attempts to establish generalized connections between crime and international peace and security.

71. Reference was made to the role of private security services in crime prevention and their contribution to the development of related strategies in national settings. It was noted that the exercise of police powers remained the prerogative of the State.

72. It was noted that a comprehensive response to cybercrime might have to include a range of elements, including criminal law, the possibility of developing a universal international convention on cybercrime, technical assistance and other measures that would link cybercrime to a broader context of development and the use of information and communications technologies in general. The issue of the timing of the provision of technical assistance in relation to the comprehensive study was also raised.

73. Delegations outlined their national efforts to address the issues of cybercrime and cybersecurity and stressed that the unique needs of developing countries should be addressed. It was suggested that the Secretariat should endeavour to schedule meetings of the expert group to conduct a comprehensive study of cybercrime and of the core group of experts on identity-related crime consecutively.

74. The counterfeiting of products and crimes that had a negative impact on the environment were seen as emerging phenomena with a transnational organized crime dimension that merited increased attention by the Commission.

75. Delegations referred to economic fraud and identity-related crime and their increase over the past few years as a result of, among other things, the spread of information and communications technologies. The United Nations study on fraud and the criminal misuse and falsification of identity (E/CN.15/2007/8 and Add.1-3), submitted to the Commission at its sixteenth session, had provided a baseline assessment for more concrete work at both the national and international levels. Reference was made to the work of the core group of experts on identity-related crime, which was established by UNODC to develop strategies, facilitate further research and agree on practical action.

B. Action taken by the Commission

76. At its 9th meeting, on 15 April, the Commission approved and recommended for adoption by the Economic and Social Council a revised draft resolution (E/CN.15/2011/L.5/Rev.1) sponsored by Australia, Chile, Costa Rica, Ecuador, El Salvador, Guatemala, Indonesia, Kuwait, Mexico, Norway, Peru, the Philippines, Thailand and the United States. (For the text, see chap. I, sect. B, draft resolution IV.) Prior to the adoption of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2011/CRP.7, available on the UNODC website.)

77. At its 10th meeting, on 15 April, the Commission considered a draft resolution to be recommended for approval by the Economic and Social Council for adoption by the General Assembly (E/CN.15/2011/L.7), as revised, sponsored by Indonesia (on behalf of the Group of 77 and China), Italy, Mexico, Norway, Turkey and Yemen (on behalf of the Group of Arab States). (For the text, see chap. I, sect. A, draft resolution III.) Prior to the adoption of the draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2011/CRP.7, available on the UNODC website.) Following adoption, the observer for Sweden called on Member States to address the protection of cultural property in a comprehensive and integrated manner in the General Assembly, building on the mandates of the United Nations Educational, Scientific and Cultural Organization, UNODC and other relevant organizations. The representatives of China and Iran (Islamic Republic of) also made statements regarding the need to ensure an integrated and comprehensive approach to the issue, bearing in mind the different but complementary perspectives on dealing with the protection of cultural property within the United Nations system. The representative of Chile stated that his Government would implement the resolution within its internal legal framework.

78. At the same meeting, the Commission considered a draft resolution to be recommended for approval by the Economic and Social Council for adoption by the General Assembly (E/CN.15/2011/L.10), as revised, sponsored by Argentina, Australia, Chile, El Salvador, Mexico, Norway, Peru, the Philippines, the Russian Federation and South Africa. (For the text, see chap. I, sect. A, draft resolution IV.) Prior to the adoption of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2011/CRP.7, available on the UNODC website.) Following adoption, the representative of the

Islamic Republic of Iran stated that insufficient time had been available for the consideration of the draft resolution and that his Government would give it further consideration.

79. Also at the same meeting, the Commission approved and recommended for adoption by the Economic and Social Council a revised draft resolution (E/CN.15/2011/L.8/Rev.1) sponsored by Canada, Colombia (on behalf of the Group of Latin American and Caribbean States), Indonesia (on behalf of the Group of 77 and China), Norway, Switzerland and the United States. (For the text, see chap. I, sect. B, draft resolution I.) Prior to the adoption of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2011/CRP.7, available on the UNODC website.)

80. At the same meeting, the Commission approved and recommended for adoption by the Economic and Social Council a revised draft resolution (E/CN.15/2011/L.11/Rev.1) sponsored by Argentina, Canada, Chile, Costa Rica, Indonesia, Mexico, the Philippines and the United States. (For the text, see chap. I, sect. B, draft resolution III.) Prior to the adoption of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2011/CRP.7, available on the UNODC website.)

81. At the same meeting, the Commission adopted a revised draft resolution (E/CN.15/2011/L.12/Rev.1) sponsored by Argentina, Chile, Costa Rica, El Salvador, Kenya, Lebanon, Mexico and Nigeria. (For the text, see chap. I, sect. D, resolution 20/6.) Prior to the adoption of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2011/CRP.7, available on the UNODC website.)

82. At the same meeting, the Commission adopted a draft resolution (E/CN.15/2011/L.4), as revised, sponsored by Chile, El Salvador, Kenya, Mexico, Peru, the Philippines and Thailand. (For the text, see chap. I, sect. D, resolution 20/7.) Prior to the adoption of the draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2011/CRP.7, available on the UNODC website.)

Chapter VI

Follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice

83. At its 8th meeting, on 14 April 2011, the Commission considered agenda item 7, entitled "Follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice".

84. For its consideration of the item, the Commission had before it the following:

(a) Report of the Secretary-General on follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice (E/CN.15/2011/15);

(b) Recommendations to improve the efficiency of the process involved in the United Nations congresses on crime prevention and criminal justice (E/CN.15/2011/CRP.5).

85. An introductory statement was made by the Secretariat. Statements were made by the representatives of the United States, Canada, Thailand and the Republic of Korea. Statements were also made by the observers for Finland, Italy, Norway, Sweden and Qatar. A statement was made by the observer for the Raoul Wallenberg Institute on behalf of the members of the United Nations crime prevention and criminal justice programme network.

A. Deliberations

86. Some delegations provided information on action taken in their countries to implement the Salvador Declaration, adopted by the Twelfth Congress.

87. Some delegations underlined the political significance and added value of the crime congresses as the largest gathering of experts, both governmental and non-governmental, to discuss crime prevention and criminal justice issues.

88. In exploring ways and means to improve the efficiency of the crime congresses, many speakers made reference to the recommendations of the Intergovernmental Group of Experts on Lessons Learned from United Nations Congresses on Crime Prevention and Criminal Justice at its meeting held in Bangkok from 15 to 18 August 2006 (E/CN.15/2007/6, sect. IV).

89. Some delegations stated that the discussion on ways and means to improve the efficiency of the crime congresses should be continued at the twenty-first session of the Commission in order to further consider, among other things, how to better structure the congresses and the final outcome document.

90. In relation to the preparation of the crime congresses, speakers highlighted the need for advance planning and close coordination with all parties involved and for

the timely preparation of a streamlined agenda. Some speakers noted that a multi-year programme of work for the preparation of the congresses would enable the Commission to begin consultations on a draft declaration at its session before the congress.

91. Another recommendation was to restructure the high-level segment of the crime congress, holding it at the beginning of the crime congress and reducing its duration. Some speakers highlighted the need to harmonize the topics of the workshops with the agenda items for the substantive deliberations of the crime congress.

92. Discussion was also devoted to the declaration as the outcome of the congress, and it was suggested that the final declaration should be focused on the items on the agenda and the discussions at the crime congress, which could lead to a robust political statement. It was also suggested, in that regard, that the text of the declaration should be formulated and negotiated only on the basis of the results, conclusions and recommendations emerging from the deliberations during the crime congress.

93. It was recommended that the Commission thoroughly review the duration of the crime congresses and the holding of regional preparatory meetings.

B. Action taken by the Commission

94. At its 10th meeting, on 15 April, the Commission considered a revised draft resolution to be recommended for approval by the Economic and Social Council for adoption by the General Assembly (E/CN.15/2011/L.16/Rev.1) sponsored by Canada, Indonesia (on behalf of the Group of 77 and China), Mexico, Norway and the Republic of Korea. (For the text, see chap. I, sect. A, draft resolution I.)

Chapter VII

Use and application of United Nations standards and norms in crime prevention and criminal justice

95. At its 8th and 9th meetings, on 14 and 15 April 2011, the Commission considered agenda item 8, entitled "Use and application of United Nations standards and norms in crime prevention and criminal justice". For its consideration of the item, the Commission had before it the following documents:

(a) Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2011/3-E/CN.15/2011/3);

(b) Report of the Secretary-General on strengthening the rule of law through improved integrity and capacity of prosecution services (E/CN.15/2011/8);

(c) Report of the Secretary-General on the use and application of United Nations standards and norms in crime prevention and criminal justice (E/CN.15/2011/12);

(d) Report of the Secretary-General on national and international efforts for child justice reform, in particular through improved coordination in technical assistance (E/CN.15/2011/13).

96. The Secretariat made an introductory statement. Statements were made by the representatives of the United States, Canada, the Russian Federation and Germany. A statement was also made by the observer for Italy. Statements were also made by the observers for the Academic Council on the United Nations System, the International Commission for Catholic Prison Pastoral Care and the Friends World Committee for Consultation.

Deliberations

97. Discussions ranged over the following specific topics: new instruments in the area of violence against women and women in detention and in custodial and non-custodial settings; efforts in the area of child justice reform, juvenile justice and child victims; standards on the integrity and capacity of prosecution services and, in general, the possible review of some of the United Nations standards and norms in crime prevention and criminal justice. In addition, the methodology of the Commission's work on that item was discussed, in particular its review of the implementation of the standards and norms by Member States. A suggestion was made to amend the title of the item for future sessions of the Commission.

98. The adoption by the General Assembly of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (Bangkok Rules) and of the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice was welcomed.

99. Speakers were in favour of following up on the Salvador Declaration, in which Member States had invited the Commission to consider reviewing and, if necessary, updating and supplementing the United Nations standards and norms in crime

prevention and criminal justice, in particular with regard to the Standard Minimum Rules for the Treatment of Prisoners.

100. Speakers welcomed the report on coordination of efforts in child justice reform (E/CN.15/2011/13) and stressed its importance for achieving efficient and effective results, including through the Interagency Panel on Juvenile Justice. It was also noted that the standards and norms in the area of juvenile justice formed the basis for a review of the implementation of the Convention on the Rights of the Child. It was stressed that a sound legislative basis was an essential part of ensuring a fair and effective justice system for children and youth and that it was also necessary to address the conditions underlying criminal behaviour if meaningful, long-term solutions were to be achieved.

101. It was stated that existing and future UNODC training curricula and technical assistance projects should support the practical application of the standards and norms and put into practice the United Nations values of equality and fairness.

102. UNODC work conducted with UNICEF using technology to promote training of professionals in the area of child victims and witnesses was commended, especially as a response to the abuse of technology for the abuse of children. Information on national practices to address the use of the Internet to commit crime against children was shared, and an offer was made to share additional lessons learned with other States.

103. The report of the Secretary-General on strengthening the rule of law through improved integrity and capacity of prosecution services (E/CN.15/2011/8) was welcomed, and the importance of the guidelines for prosecutors was stressed. It was recommended that UNODC work with the International Association of Prosecutors to develop training materials and good practices on how those standards could be applied to prosecution operations and practices. It was noted that the standards and norms on prosecution and the role of lawyers had not received sufficient attention thus far, and it was hoped that future work would be done to apply and disseminate the guidelines.

Chapter VIII

Provisional agenda for the twenty-first session of the Commission

104. At its 10th meeting, on 15 April 2011, the Commission considered agenda item 9, entitled "Provisional agenda for the twenty-first session of the Commission". In its consideration of the item the Commission had before it a draft decision submitted by the Chairman on the report of the Commission on its twentieth session and provisional agenda for its twenty-first session (E/CN.15/2011/L.17).

105. The Chairman made an introductory statement. Statements were made by the representatives of Canada, Japan, Ukraine, the Russian Federation, the United States, Chile, Argentina, Romania, Germany, Iran (Islamic Republic of), China and Austria. The observers for Hungary (on behalf of the European Union), Lebanon (on behalf of the Group of 77 and China), Colombia and Zimbabwe also made statements.

A. Deliberations

106. The Commission considered a series of amendments to the draft decision, including with regard to the deadline for the submission of draft resolutions, the preparation of documentation and the report on the session. The issue of the working methods of the Commission should be the subject of further consideration, intersessionally, including in the standing open-ended intergovernmental working group on improving the governance and financial situation of UNODC.

107. A proposal was made regarding possible sub-themes under the prominent theme for the twenty-first session, to be considered by the Commission during the intersessional period, as follows: the role of law enforcement in responding to violence against migrants, migrant workers and their families; links to organized crime; victimization of migrants, migrant workers and their families, and best practices to address vulnerabilities that can develop within policies and programming; the particular vulnerabilities of women and girl migrants; crime prevention strategies, measures, mechanisms and tools, including collaborative efforts between affected States; the promotion of legal means of migration; and improvements in reporting and collecting crime and victimization data.

B. Action taken by the Commission

108. At its 10th meeting, on 15 April 2011, the Commission approved and recommended for adoption by the Economic and Social Council a draft decision (E/CN.15/2011/L.17), as orally amended. (For the text, see chap. I, sect. C, draft decision I.)

109. At the same meeting, the Commission adopted a draft decision introduced orally by the delegation of Canada in the context of the aforementioned draft decision. (For the text, see chap. I, sect. D, decision 20/1.)

Chapter IX

Other business

110. No other business was brought to the attention of the Commission.

Chapter X

Adoption of the report of the Commission on its twentieth session

111. At its 10th meeting, on 15 April 2011, the Commission adopted by consensus the report on its twentieth session (E/CN.15/2011/L.1 and Add.1-6), as orally amended.

Chapter XI

Organization of the session

A. Informal pre-session consultations

112. At its reconvened nineteenth session, on 3 December 2010, the Commission confirmed the agreement, reached at the meeting of the extended Bureau held on 7 October 2010, that the part of the twentieth session of the Commission in the first half of the year would be held from 11 to 15 April 2011, with informal pre-session consultations to be held on the working day preceding the first day of that part of the session. The Commission was also informed that its reconvened twentieth session would be held on 13 December 2011. The informal pre-session consultations devoted attention to a preliminary review of draft resolutions to be considered at the twentieth session of the Commission that were made available in advance.

113. At the informal pre-session consultations held on 8 April 2011 and chaired by the First Vice-Chair, the Commission conducted a preliminary review of draft resolutions submitted in advance, matters related to the organization of and the report on the twentieth session of the Commission, the working methods of the Commission, improving the efficiency of the process involved in the United Nations congresses on crime prevention and criminal justice and the draft provisional agenda for the twenty-first session of the Commission.

B. Opening and duration of the session

114. The Commission on Crime Prevention and Criminal Justice held the part of its twentieth session in the first half of the year in Vienna from 11 to 15 April 2011, during which time there were 10 plenary meetings and 8 meetings of the Committee of the Whole. The Chair of the Commission opened that part of the session, and participants observed a minute of silence for the victims of the catastrophic earthquake and tsunami that had struck Japan one month before. At the 1st meeting, on 11 April 2011, opening statements were made by the Executive Director of UNODC, by the representatives of Kenya (on behalf of the States Members of the United Nations that are members of the Group of African States) and Chile (on behalf of the States Members of the United Nations that are members of the Group of Latin American and Caribbean States) and by the observers for Lebanon (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), the Syrian Arab Republic (on behalf of the States Members of the United Nations that are members of the Group of Asian States) and Hungary (on behalf of the States Members of the United Nations that are members of the European Union). Statements were also made by the Vice-Minister of Justice of China, the Minister of Justice of Kenya and the State Secretary of the Ministry of Justice of Croatia.

C. Attendance

115. The twentieth session was attended by representatives of 33 States members of the Commission (Benin, Comoros, Democratic Republic of the Congo, Ghana, Lesotho, Libyan Arab Jamahiriya and Saint Vincent and the Grenadines were not represented). Also attending were observers for 80 other States Members of the United Nations, 1 non-member State and 1 entity, representatives of 5 organizations of the United Nations system and observers for 14 institutes of the United Nations crime prevention and criminal justice programme network, 13 intergovernmental organizations, 43 non-governmental organizations in consultative status with the Economic and Social Council and 2 other organizations. A list of participants is contained in document E/CN.15/2011/INF/2/Rev.1.

D. Election of officers

116. In its resolution 2003/31 of 22 July 2003, entitled "Functioning of the Commission on Crime Prevention and Criminal Justice", the Economic and Social Council decided that, with effect from 2004, the Commission should, at the end of each session, elect its bureau for the subsequent session and should encourage the bureau to play an active role in the preparation of the regular session, as well as the informal intersessional meetings of the Commission, so as to enable the Commission to provide continuous and effective policy guidance to the United Nations crime prevention and criminal justice programme.

117. Pursuant to Economic and Social Council resolution 2003/31 and rule 15 of the rules of procedure of the functional commissions of the Council, the Commission, at the end of its reconvened nineteenth session, on 3 December 2010, opened its twentieth session for the sole purpose of electing its bureau for that session. At that meeting, the Commission elected the Chair, the First Vice-Chair, the Second Vice-Chair, the Third Vice-Chair and the Rapporteur.

118. The officers of the Commission at its twentieth session were as follows:

Chair:	John Barrett (Canada)
First Vice-Chair:	Nongnuth Phetcharatana (Thailand)
Second Vice-Chair:	Ukur Kanacho Yatani (Kenya)
Third Vice-Chair:	Vasyl Pokotylo (Ukraine)
Rapporteur:	Erasmo Lara Cabrera (Mexico)

119. A group composed of the chairs of the five regional groups (the representatives of Belgium, Kenya and Ukraine and the observers for Colombia and the Syrian Arab Republic), the representative of the Islamic Republic of Iran (on behalf of the Group of 77 and China) and the observer for Hungary (on behalf of the European Union) was established to assist the Chair of the Commission in dealing with organizational matters. That group, together with the elected officers, constituted the extended bureau foreseen in Economic and Social Council resolution 2003/31. During the twentieth session of the Commission, the extended Bureau met on 12 and 14 April 2011 to consider matters related to the organization of work.

E. Adoption of the agenda and organization of work

120. At its 1st meeting, on 11 April 2011, the Commission adopted the provisional agenda and organization of work (E/CN.15/2011/1), which had been approved by the Economic and Social Council in its decision 2010/243 of 22 July 2010.

F. Documentation

121. The documents before the Commission at its twentieth session are listed in conference room paper E/CN.15/2011/CRP.8.

G. Closure of the current part of the session

122. At its 10th meeting, on 15 April 2011, the Commission heard closing statements by the Executive Director of UNODC and by the Chair of the Commission. Closing statements were also made by the observers for Indonesia (on behalf of the Group of 77 and China) and Hungary (on behalf of the European Union). The representatives of Brazil and the United States also made statements.